

From: Michalowski, Joe
Sent: Tuesday, July 3, 2018 11:09 AM
To: Best, Carolyn; Adams, Alexandra; Westlake, Libby; Slack, Cora
Subject: Re: PR ALERT: Becker Janus Statement (sending at 11)

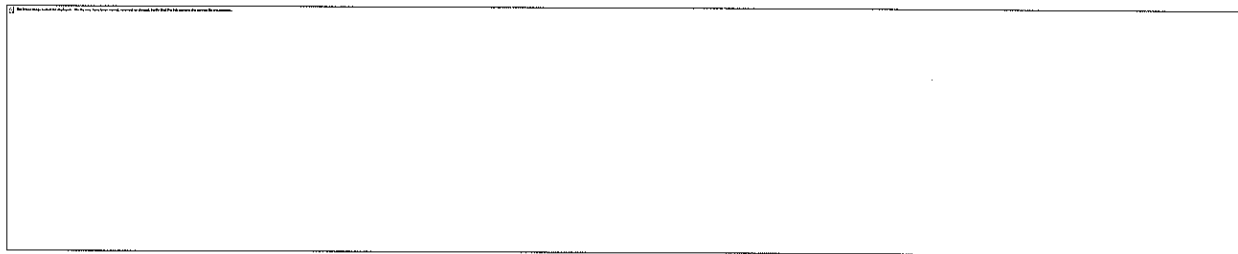
I suggest changing the grammatical construction in the second paragraph, as reflected below. Thanks again!

Joe Michalowski
Legislative Aide
State Representative John Becker | Ohio House District 65
77 S. High Street, 12th Floor | Columbus, OH 43215-6108
Office: (614) 466-8134 | joe.michalowski@ohiohouse.gov

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "Best, Carolyn" <Carolyn.Best@ohiohouse.gov>
Date: 7/3/18 10:41 AM (GMT-05:00)
To: "Adams, Alexandra" <Alexandra.Adams@ohiohouse.gov>, "Westlake, Libby" <Libby.Westlake@ohiohouse.gov>, "Slack, Cora" <Cora.Slack@ohiohouse.gov>
Cc: "Michalowski, Joe" <Joe.Michalowski@ohiohouse.gov>
Subject: PR ALERT: Becker Janus Statement (sending at 11)



For Immediate Release:

Contact: Joe Michalowski

July 3, 2018

(614) 466-8134

Right-to-Work Leader Rep. Becker Condemns Judicial Activism of *Janus v. AFSCME* Decision

COLUMBUS—State Representative John Becker (R-Union Township, Clermont County) today criticized the judicial activism of the recent decision in *Janus v. AFSCME Council 31*, while celebrating its effect. *Janus* overturned *Abood v. Detroit Board of Education*, which had allowed public-sector labor unions to collect “agency fees” from bargaining unit members who opt out of union membership. The opinion of the Court, authored by Justice Samuel Alito and joined by Justices Roberts, Kennedy, Thomas, and Gorsuch, provides that public-sector labor unions cannot collect such fees unless bargaining unit members opt in to the practice.

While the effect of the decision granted a significant boost to workers’ free speech rights, the verdict, like so many other judicial decisions, violates the principle that nine unelected judges serve as impartial adjudicators. Instead, they are playing a role reserved to the legislative branch.

“The good news is that we now have public sector right-to-work across the United States. The bad news is that the little kings in black robes continue to overstep their constitutional authority by forcing their opinions down the throats of the rest of us,” said Rep. Becker. “The U.S. Constitution does not give the Supreme Court of the United States the authority to rule over the entire nation. Rather, they are only superior to the lower courts. Nor does the U.S. Constitution grant the Supreme Court veto power over legislation, also known as judicial review. These are powers that the Justices of the Court have granted to themselves,” Becker continued.

The U.S. Constitution does not specify that the judiciary has the ability to overturn legislation, the judiciary, including the US Supreme Court, have often overturned duly passed laws on both the federal and state level.

From: Westlake, Libby
Sent: Thursday, July 5, 2018 9:56 AM
To: Best, Carolyn; Adams, Alexandra; Slack, Cora; Crock, Sarah; Lenzo, Mike; Kasych, Shawn; Lundregan, Scott; Myers, Marisa; Donelon, Terry; Baker, Dan; Young, Brad; Snider, Grace; Garczyk, Cameron; Sarko, Alyssa
Subject: Smith Clips for 7/5/2018

SMITH CLIPS



LAWMAKERS UNCERTAIN ABOUT THE FUTURE OF RIGHT TO WORK BILLS IN POST-JANUS OHIO

As the dust was still settling on the last voting session day for the Ohio House of Representatives and Senate, leaders of both chambers fielded questions about another major piece of news occurring while they were busy passing legislation; the Janus v. AFSCME decision made by the Supreme Court of the United States (SCOTUS).



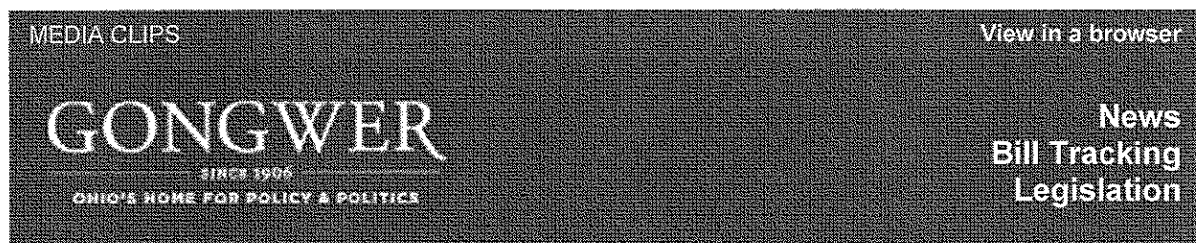
SMITH APPLAUDS BILL PASSAGE PROTECTING PASTORS, CLEAN LAKE PLAN

Speaker of the Ohio House Ryan Smith (R-Bidwell) has applauded the passage of Senate Bill 299, or the "Clean Lake 2020 Plan," and House Bill 36, or the "Ohio Pastor Protection Act," by the Ohio House of Representatives.

Libby Henson

Special Assistant to the Speaker for Correspondence
Office of Speaker Ryan Smith | Ohio House of Representatives
(614) 728-5448

From: Gongwer News Service
Sent: Friday, July 6, 2018 8:29 AM
To: DL_Gongwer
Subject: Ohio Media Clips, Friday, July 6



NEWS

**Payday loans, guns among stalled issues at Ohio Statehouse
(Associated Press, 7/6/2018)**

**Status of 2,300 former ECOT students unknown, Associated Press
reports (Associated Press, 7/6/2018)**

Why is PG Sittenfeld raising money? (Cincinnati Enquirer, 7/6/2018)

**Why Ohio keeps voting on odd, complicated issues (Cincinnati Enquirer,
7/6/2018)**

**Ohio drug treatment and rehabilitation amendment could be on
November ballot (Cleveland Plain Dealer, 7/6/2018)**

**Ohio Libertarians seek a return to the ballot this year (Cleveland Plain
Dealer, 7/6/2018)**

**Right-to-work group demands Ohio stop collecting union dues from
some state workers (Cleveland Plain Dealer, 7/6/2018)**

**What medical conditions can be treated with medical marijuana in Ohio?
(Cleveland Plain Dealer, 7/6/2018)**

Democrat Danny O'Connor launches ad linking himself to ... John Kasich? (Columbus Dispatch, 7/6/2018)

DeWine says hands tied on pursuing ECOT -- until trial-court ruling (Columbus Dispatch, 7/6/2018)

Ohio Libertarians submit petition forms to regain minor-party status (Columbus Dispatch, 7/6/2018)

Ohio native Andrew Wheeler, former coal lobbyist, is new EPA leader (Columbus Dispatch, 7/6/2018)

Trump says he doesn't believe allegations against Jim Jordan; new victim emerges (Columbus Dispatch, 7/6/2018)

Congressman Jim Jordan knew about sex abuse at OSU, former wrestlers say (Dayton Daily News, 7/6/2018)

Medical marijuana in Ohio: 8 key questions answered as the program nears (Dayton Daily News, 7/6/2018)

Ohio lawmakers respond to EPA chief resignation (Dayton Daily News, 7/6/2018)

Local dog breeders, retailers react to new anti-puppy-mill law (Toledo Blade, 7/6/2018)

Two Ballot Campaigns Spend Holiday Collecting Signatures (WOSU Public Media, 7/6/2018)

EDITORIALS

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Editorial: Statehouse security should be applied evenly to all (Columbus Dispatch, 7/6/2018)

Richard Cordray's Nazi analogy was an overreach (Toledo Blade, 7/6/2018)

Slavery in Ohio (Toledo Blade, 7/6/2018)

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From: Westlake, Libby
Sent: Friday, July 6, 2018 8:41 AM
To: Westlake, Libby
Subject: E-Clips for 7/6/2018

HOUSE E-CLIPS

7/6/2018



OHIO UNSURE OF STATUS OF 2,300 STUDENTS FROM CLOSED E-SCHOOL

Many of the students enrolled in Ohio's largest online charter school when it closed in January have transferred to other schools, but state officials don't know what happened with about 2,300 students.

OHIO NATIVE ANDREW WHEELER, FORMER COAL LOBBYIST, IS NEW EPA LEADER

The new leader of the Environmental Protection Agency is a former coal industry lobbyist who helped lead an industry fight against regulations that protect Americans' health and address climate change.



DEWINE SAYS HANDS TIED ON PURSUING ECOT -- UNTIL TRIAL-COURT RULING

Responding to critics questioning why it did not take action against ECOT founder Bill Lager years ago, the office of Ohio Attorney General Mike DeWine says its hands were legally tied until a lower court ruling in March.

OHIO LIBERTARIANS SUBMIT PETITION FORMS TO REGAIN MINOR-PARTY STATUS

The Libertarian Party of Ohio expects its comeback to succeed, allowing the party to field candidates for governor, U.S. Senate and other offices this fall.

DEMOCRAT DANNY O'CONNOR LAUNCHES AD LINKING HIMSELF TO ... JOHN KASICH?

In a bid to win the support of independents and moderate Republicans, Democratic congressional candidate Danny O'Connor has launched a 30-second TV commercial

featuring an endorsement from a Delaware woman who voted for Ohio Gov. John Kasich and President Donald Trump.

EDITORIAL: STATEHOUSE SECURITY SHOULD BE APPLIED EVENLY TO ALL

It is disappointing that Statehouse security officials and a two-term state representative haven't been able to resolve the lawmaker's allegation that she has been inappropriately hassled multiple times while trying to enter the building.

THE PLAIN DEALER

RIGHT-TO-WORK GROUP DEMANDS OHIO STOP COLLECTING UNION DUES FROM SOME STATE WORKERS

A "right-to-work" advocacy group has threatened to launch a class-action suit against Ohio and 19 other states if they don't immediately stop deducting union dues from non-union public employees' paychecks following a recent U.S. Supreme Court ruling.

OHIO DRUG TREATMENT AND REHABILITATION AMENDMENT COULD BE ON NOVEMBER BALLOT

Supporters of a proposal to reduce penalties for nonviolent drug crime offenders submitted hundreds of thousands of signatures on Wednesday to put the measure on the November ballot.

WHAT MEDICAL CONDITIONS CAN BE TREATED WITH MEDICAL MARIJUANA IN OHIO?

The success of a state's medical marijuana program can hinge on what medical conditions qualify a patient for treatment with cannabis.

OHIO LIBERTARIANS SEEK A RETURN TO THE BALLOT THIS YEAR

After almost four years in the political wilderness, the Libertarian Party of Ohio is seeking to regain state recognition for the 2018 midterm election.

'RIGHT-TO-WORK' GROUP THREATENS TO SUE OHIO AFTER SUPREME COURT RULING: CAPITOL LETTER

Just due it: A "right-to-work" advocacy group has threatened Ohio with a lawsuit if it doesn't immediately stop collecting union dues from non-union state workers.

THE ENQUIRER

DIALYSIS TO DUELS: WHY OHIO KEEPS VOTING ON ODD, COMPLICATED BALLOT ISSUES

Are you well-versed in kidney dialysis pricing? Do you understand how Medicaid pays for prescription drugs?

THE BLADE

One of America's Great Newspapers

RICHARD CORDRAY'S NAZI ANALOGY WAS AN OVERREACH

Republicans have pounced on Ohio Democratic governor candidate Richard Cordray for referencing Nazis in two recent rallies.

LOCAL DOG BREEDERS, RETAILERS REACT TO NEW ANTI-PUPPY-MILL LAW

Richard Stroshine, co-owner of Stroshine's Studs and Buds in Northwood, is too familiar with the horrors of puppy mills.

EDITORIAL: SLAVERY IN OHIO

Former U.S. Attorney Steve Dettelbach is running for Attorney General of Ohio, in part, on the promise that he will focus on human trafficking.

EDITORIAL: REGISTER TO VOTE NOW

If you haven't voted in a while, check to make sure you are registered.

From: Best, Carolyn
Sent: Friday, July 6, 2018 11:24 AM
To: Adams, Alexandra; Westlake, Libby; Slack, Cora; Crock, Sarah
Subject: Talking Points
Attachments: School Safety.docx

Hi everyone,

I think I have solidified a plan/template for summer talking points. Attached you'll find an example for the topic of School Safety. Below is a list of resources and topic assignments. As you work through these, just let me know if you think we need to change a topic or make a sub topic.

Content is key here, rather than presentation just because we don't have much time at all. **This will be our main priority for the next week.** I will make Scott aware that we'll be sending these to policy and we need feedback ASAP. If you are not hearing back from someone please let me know. Just text me/email/call me if you have any questions about bills/rhetoric as you're going through these... again, we need to get these done quickly.

To keep things moving, I think it's best we fill these in and have policy review after... here is how I envision the process going...

Process:

- 1) Comms creates one-pagers
- 2) Sends each draft to policy person
- 3) Alex/team finalizes design/presentation
- 4) Carolyn sends to Scott/Shawn/Brad for final edits
- 5) Comms final edits
- 6) Send to members

Resources:

- 1) Sent file in drive (search key words)
- 2) Snapshots
- 3) Templates
- 4) Press releases
- 5) PSAs
- 6) News articles
- 7) Talking points saved in drive
- 8) Bills signed by governor

Topics:

Libby

- 2nd Amendment
- Agriculture
- Right to Work
- Workers Comp (BWC rebates)
- Local Government
- Elections

Carolyn

- School Safety
- School safety (mental health component; bullying, suicide)
- Economic Development
- Unemployment Compensation
- Budget
- Pro-Life
- General Accomplishments

Alex

- Dogs/animals
- Redistricting/Voting machines
- Lake Erie/environment

Cora

- Civil Justice/Crime (reagan tokens, hughes bill, telemarketing law)
- Military/Veterans

Sarah

- Education/E-Schools
- Utilities
- Opioid Epidemic
- Health
- Transportation/Transportation Budget

Thanks guys!

Carolyn Best

Director of Communications

Speaker Ryan Smith/Ohio House of Representatives

77 S. High Street, Columbus, Ohio 43215

Office Phone: 614.644.1739

Cell Phone: 740.815.9635

[TOPIC, ALL CAPS] SCHOOL SAFETY

[Who, in bold] Talking to teachers, parents, superintendents, students and school board members...

[Rhetoric/explanation, italicized] In light of recent events, the Ohio House has prioritized ensuring that schools are better prepared for dangerous and deadly attacks. This topic elicits a varied amount of emotional responses and it is imperative that we look at this issue from all sides and keep schools and parents part of the conversation to keep every Ohio student safe.

[List Bills with sponsor and effective date]

- **[Bullets, not too technical, rhetoric]**

Senate Bill 226 Bacon, effective 3/30)

- Creates an annual back-to-school sales tax holiday
- Included a provision to give educational service centers (ESC) the authority to levy a property tax to fund school security and mental health services
- Upholding local control, the bill will allow an individual school district to decide if it needs additional funds for the purpose of school safety

House Bill 318 (Patterson/LaTourette, concurred 6/27)

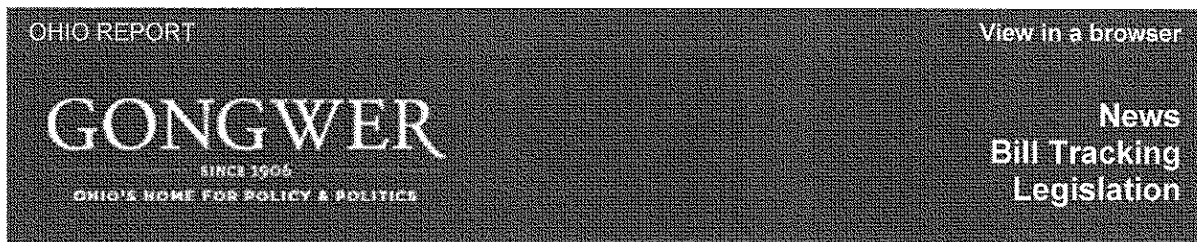
- Establishes qualifications and training requirements for school resource officers (SRO) and permits SROs to provide a specified range of services to school districts and schools.
- SROs work in many districts throughout the state, providing a valuable, community-oriented, and approachable official, specifically dedicated to students, teachers, staff, volunteers, and families.
- The training program areas including: communication techniques that will enhance positive interaction between the student and officer, understanding the psychological characteristics consistent with the age of a student, de-escalation strategies, and instruction on school facility security needs and features. Additionally, the program will highlight approaches to encourage a drug free environment.
- Includes grant **[confirm amount]**

House Bill 383 (Carfagna, Passed House 6/26)

- Requires any child care providers licensed by the Ohio Department of Job and Family Services (ODJFS) to notify parents if ODJFS determines that the provider allowed serious risk to a child's safety.

- Current law does not require childcare providers to notify parents that an incident causing serious risk to a child occurred, even if ODJFS has investigated and made an official determination
- Specific requirements include that the notification must be provided to parents within 30 days of the official ODJFS determination
- Notices sent to parents must include references to the ODJFS website, encouraging recipients to take advantage of the online information

From: Gongwer News Service
Sent: Friday, July 6, 2018 5:55 PM
To: DL_Gongwer
Subject: Ohio Report, Friday, July 6, 2018
Attachments: Jul6.htm; 180706dayplan.htm; Jul9Schedule.htm; 180706plan.htm



OHIO REPORT FRIDAY, JULY 6

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**Payday Lending Proposal Slated For Rare Summer Action In Senate Next Week**

**State Touts Mental Health Parity With Managed Care Integration Of Behavioral Services**

**CAUV 'On the Road To Correction' Following Budget Changes, Group Says**

**Ed Board Expected To Debate, Vote On Third-Grade Reading Benchmark**

**Rover, FERC Staff Spar Over Land Restoration, Pipeline Operations**

**Public Comments Continue On State, Federal Lifeline Proposals**

**'Sweeping' Changes In Store After Federal Regulators Reject PJM Capacity Market Plans**



**Agency Briefs: Hurst To Replace Plouck At ODMHAS; U.S.  
Unemployment Rate Up; OSHP; ODNR**

**Burke Blasts Cordray's Medicaid Comments; Soybean Group Sounds  
Tariff Alarm; Boccieri Calls For More Local Funding**

**Case Remanded After Judge Cites Article In Sentencing; High Court  
Denies Stay Of Execution; Buckeye Institute Weighs In On Case...**

**Portman Sets Sights On Deferred Park Maintenance; Dems Welcome  
Pruitt's Exit; Ryan Tours Immigrant Facility**

**Capitol Scene: Child Caring Group Updates Name**

**Governor's Appointments**

**Supplemental Agency Calendar**

**Supplemental Event Planner**

## **CALENDARS**

**Day Planner**

**Legislative Committee Schedules**

**Event Planner**

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**Volume #87, Report #130 -- Friday, July 6, 2018**  
**Payday Lending Proposal Slated For Rare Summer Action In Senate Next Week**

An expected legislative break is being cut short for the Senate as the chamber is set to return next week to continue its work considering a contentious overhaul of short-term lending laws.

The payday lending bill (HB 123) is slated for consideration by the Senate Finance Committee Monday and Tuesday, if necessary. The measure is expected to come up before the full Senate Tuesday morning.

The Finance Committee meetings are expected to be the only committee action of the week.

John Fortney, spokesman for Senate President Larry Obhof (R-Medina), said amendments are expected Monday or Tuesday.

What that language will look like remains unclear.

The committee spent much of last week hearing testimony on the measure and weighing potential changes offered by Sen. Matt Huffman (R-Lima).

Backers of the original language, which would limit fees and interest rates and require repayment to be capped at 5% of the borrower's income, balked at proposed changes in the Senate. (See Gongwer Ohio Report, June 21, 2018)

Proponents, including the Pew Charitable Trusts, voiced openness to some changes, such as increasing the allowable loan sizes and rates, that would still preserve the overarching framework. (See Gongwer Ohio Report, June 25, 2018)

Sen. Matt Dolan (R-Chagrin Falls) said this week he had prepared amendments to that effect but wasn't sure whether the committee would work from the House-passed language or from a framework outlined by Sen. Huffman.

"My amendments were directed toward 123 based on what I heard in terms of testimony and in terms of what could help within the structure of 123 to increase the costs a little bit to help out the lenders," he said in an interview.

Those discussions have included increased rates and allowable fees, including raising the limit on what a borrower can be required to pay back to perhaps as high as 10% of their income, Sen. Dolan said.

"That would obviously increase the ability for the borrower to borrow more money," Sen. Dolan said. "We're trying to find that fine line."

Supporters of the initial language have said raising the 5% income limit to perhaps 7% or 8% would be acceptable, but 10% could be too high.

Sen. Huffman's proposals would create a framework around the total costs of installment loans, limiting those to a per diem rate based on the size and duration of the loan. He has said the proposal would also cap the total principal amount a borrower could have out at any one time at \$2,500. (See Gongwer Ohio Report, June 26, 2018)

### **State Touts Mental Health Parity With Managed Care Integration Of Behavioral Services**

With the July 1 carve-in of behavioral health services in Medicaid into managed care, the state says it is now compliant with a 2008 federal law requiring parity for mental health and addiction services.

The departments of Medicaid and of Mental Health and Addiction Services released a report examining compliance by managed care plans in providing parity in patients' access to those services.

The state was initially scheduled to show compliance in October 2017 but received approval from federal regulators to wait until the July 1 integration of behavioral health services into managed care. (See Gongwer Ohio Report, June 28, 2018)

"That gave us the opportunity to have our implementation dates be the same as our carve-in," Medicaid Director Barbara Sears said in an interview.

The behavioral health integration is a separate effort from the work toward parity, but the state decided to have those dates coincide because of the way it framed its plan with the federal Centers for Medicare and Medicaid Services, said Patrick Stephan, director of managed care for ODM.

"What we didn't want to do was have to go through the process twice," he said. "Had we not connected this with our integration of behavioral health services into managed care, we would've had to have done it on the fee-for-service side."

Parity means managed care plans will be prevented from having cumbersome prior authorization requirements, limits on service days or other restrictions on mental health services that aren't used on physical health services, Mr. Stephan said.

"At its core, this act requires us to make certain that within Medicaid, and in this case within the managed care plans' administration of the benefit, that we do not have qualitative or quantitative requirements on mental health services that are more stringent than what you would get on the physical side," he said.

Mr. Stephan said the move toward managed care will also help ensure patients' access to mental health services because plans are required to provide that access and can incentivize providers in order to achieve it.

"In the fee for service side, we had very little ability to encourage new providers into the market," he said. "On the managed care side, we have standards that the plans must meet, and if they don't, then they get fined, they get penalized."

Lori Criss, CEO of the Ohio Council of Behavioral Health and Family Services Providers, said parity is key but questioned whether the system has actually achieved the goal.

"Fully implementing and robustly enforcing the Mental Health Parity and Addiction Equity Act of 2008 is critically important to ensure that Ohioans can understand and access the health insurance benefits rightly available to them," she said in a statement. "While we appreciate Ohio Medicaid's compliance report, the analysis appears to lack sufficient detail to support its broad conclusion without review of the underlying assessment documents."

Moving forward, the state will have to ensure parity standards are met, she said.

"The real test will be how well Medicaid promotes transparency and holds the plans accountable for the law's requirements," she said. "The Ohio Parity at 10 Coalition looks forward to working with lawmakers and the administration to raise awareness of the law's benefits to Ohioans, their families and employers."

#### **CAUV 'On the Road To Correction' Following Budget Changes, Group Says**

Budget language aimed at alleviating increased costs from rising Current Agricultural Use Values are having their intended impact, the Ohio Farmers Union told state officials recently.

The Department of Taxation each year holds a public hearing in June to brief farmers and interest groups on the latest values and to gather feedback on the subject.

In recent years, the meetings have been the site of much angst as some farmers grapple with sharp increases. During the 2014 tax year, the high watermark, increases were seen as high as 400%. (See Gongwer Ohio Report, June 2, 2017)

"We had tremendous increase in the CAUV values going back to 2008," said Ted Finnarn, attorney for the organization. "Because of (the changes), the CAUV values have come down and are heading back down to where they should have been."

But the latest meeting came and went with little fanfare, with the union providing the only testimony and praising the recent changes.

"We're finally on the road to correction," Mr. Finnarn said in an interview. "By the 2020 cycle, the CAUV values will be down so farmers have more reasonable taxes."

Gloria Gardner, assistant administrator for the department, said the statewide average value for cropland came in at \$1,015 per acre for tax year 2018, down about 27% from 2015 values which were \$1,388. The values are updated every three years as counties undergo their appraisal process.

"The values are dropping pretty significantly due to some of the changes that were in House Bill 49 in 2017 and this is the second year of implementing those changes," Ms. Gardner said. "The woodland values are also coming down."

The budget changes, which originated in the Senate, modified the factors to be used in computing the values and placed a ceiling on the taxable value of CAUV land if it is also used for conservation purposes. The changes were phased across two stages over a six year assessment cycle.

"We sort of had a perfect storm - all of these things coming together - and we had extremely high values that were unwarranted and unfair and unprecedented," Mr. Finnarn said. "Now we're on the road to having more reasonable real estate taxes for farmers and woodland owners."

Not all parties were pleased with the budget changes, however. School groups expressed repeated concerns with how the changes might impact their districts, forecasting a 30% reduction in farming property values that would shift the burden onto other property owners.

Barbara Shaner, advocacy specialist for the Ohio Association of School Business Officials, said those fears continue.

"We're still sorting out the results of the most recent information from the tax department but we also think we won't see the full effect for a few more years because not all the counties have undergone their reevaluation," Ms. Shaner said. "We remain concerned and we'll continue to monitor the way it's turning out."

### **Ed Board Expected To Debate, Vote On Third-Grade Reading Benchmark**

The State Board of Education is set to vote to increase the Third Grade Reading Guarantee promotion score next weekend at its monthly meeting.

A proposal to raise the benchmark students would need to meet on the Ohio State Test for third grade English and language arts from 672 to 677 was set for a possible vote by the panel's Achievement and Graduation Requirements Committee last month, but it ultimately delayed its decision. (See Gongwer Ohio Report, June 12, 2018)

The committee is once again scheduled to discuss the proposal at its 8:30 a.m. Tuesday meeting, with the full board expected to consider the resolution enacting the change later that day. The resolution is set for consideration as an emergency measure, so it would take effect before the start of the next school year.

The state board is required by law to review the third grade language arts benchmark and adjust it upward annually until it reaches 700, which indicates proficiency, according to a memo sent to committee members late last month by the Department of Education's legal staff.

Despite the requirement that the score increase, the committee balked at recommending the promotion score be set at 677 last month, with multiple members asking for more time to discuss the potential change with local school district officials.

District 4 board member Pat Bruns at the time said she was concerned raising the score could mean districts' improvements at teaching young readers would not be reflected in state report cards, sending a "false message" to community members.

An overview of the issue provided by ODE to the committee states that: "Because of the state law, the education community is expecting to see a modest increase in the promotion score. No one will be surprised by an increase."

ODE also argues the change in the overall language arts score from 672 to 677 corresponds to the smallest possible increase in the reading subscore, from 44 to 45.

"It is possible this change will not increase the number or percent of students who are retained. If there is a reduction in the number of students promoted, we would expect it to be small," the overview states.

At-large board member Laura Kohler, the committee's chairwoman, previously said she supports the plan to increase the benchmark to 677 because administrators and teachers have been preparing for it with increased aid from the state.

"We're looking at a different landscape than we were a couple of year ago with the supports that are in place," she said.

**Subscriber's Note:** The full agenda for the State Board of Education's Monday and Tuesday meeting is available online.

### **Rover, FERC Staff Spar Over Land Restoration, Pipeline Operations**

Rover Pipeline operators, long at odds with state regulators, are now amping up their frustration with their federal overseers.

In recent missives, Rover Pipeline LCC blasted Federal Energy Regulatory Commission staff for what it considers the commission's failure to authorize full operation of a major section of the controversial project. (See Gongwer Ohio Report, June 1, 2018)

The lack of action on FERC's part has left Rover "more than a little baffled," wrote Rover Senior Vice President Chris Sonneborn. But FERC staff said the delays are prompted by Rover's failure to restore land impacted by the project by a June 30 deadline. The

company in recent weeks has informed staff restoration efforts are likely to continue until "at least" July 30.

According to Rover, FERC staff in May authorized service to commence on a main segment of the pipeline called Supply Connector Line B. But in doing so, staff withheld granting in-service authorization for two laterals pending further review.

"As a result of staff's inaction, significant volumes of natural gas have been unable to flow on pipeline facilities that have been completed for nearly a month," Mr. Sonneborn wrote. "This is unfortunate, because...the incremental natural gas supply that would have been available to flow would have been used to offset the large deficit the nation is facing to replenish storage inventories in preparation for the 2018-2019 heating season...."

Failure to act soon, the company claims, is outside "the public interest." But FERC declined to be persuaded by the company's comments. Staff instead responded with a formal notice directing the company to complete outstanding restoration activities at those two Ohio sites.

"Because restoration of these facilities was not complete at the time of in-service authorization, Rover committed to completing the remaining restoration activities by specific dates," wrote John Wood, FERC's deputy director of the Office of Energy Projects. "However, commission staff monitoring certificate compliance believes that rover will be unable to meet a number of those commitments...."

As a result, staff directed Rover to take "prompt and immediate action" and to file prior to July 9 a detailed account of why the company cannot adhere to the agreed upon timetable.

"Neither the commission nor its staff takes lightly a pipeline's commitments to restore and rehabilitate affected lands," Mr. Wood said. "Accordingly, the commission expects pipelines to follow through on their commitments to restore and rehabilitate land and other resources disturbed by the construction of a certificated pipeline."

In response, Mr. Sonneborn issued a second letter this week leveling further attacks, accusing FERC staff of making "several inaccurate statements" toward the project and the company's willingness to fulfill its land restoration commitments.

"For the record, and as Rover has stated previously in this docket on numerous occasions, Rover will honor and meet all of its restoration commitments - whether those are scheduled to occur before or after Rover is fully in service," Rover wrote. "Any implication to the contrary is simply untrue."

Rover now is also accusing FERC staff of "a fundamental misunderstanding" of how the restoration process works.



"A company can supply ample resources, equipment, and personnel to restoration efforts; however, the variable of weather, and therefore the pace of restoration, is simply outside of any pipeline's control," Rover wrote. "There is no amount of planning or resources that can change the reality that on any major pipeline project there are always going to be changes to the restoration schedule due to events outside of the pipeline's control."

The company's public pushback accusing FERC of stating falsehoods is much like the back-and-forth Rover has engaged in with the Ohio Environmental Protection Agency. Rover and the OEPA have engaged in a months-long back and forth with Rover accusing OEPA of cooperating with the company in private but taking an adversarial approach in public.

That tiff ultimately led to a lawsuit filed by the state, which Rover and several other defendants have filed to dismiss. (See Gongwer Ohio Report, March 5, 2018)

### **Public Comments Continue On State, Federal Lifeline Proposals**

Stakeholder groups and citizens are continuing their efforts to thwart state and federal proposals that would eliminate in whole or in part a federal discount program for low-income customers.

At the state level, AT&T is proposing to discontinue its participation in the federal Lifeline program - which grants eligible customers a \$9.25 monthly credit - in areas in which another provider operates that service.

But the Public Utilities Commission of Ohio has yet to approve that plan and in recent days has urged the public to weigh in via written feedback.

Meanwhile, the Federal Communications Commission is weighing a similar but more far-reaching plan that would largely eliminate the resource for a swathe of customers across the country. (See Gongwer Ohio Report, February 23, 2018)

In the PUCO case, comments have been submitted from a handful of citizens as of Friday, each urging the commission to deny AT&T's plan and maintain the program.

Several commenters described themselves as licensed social workers working with elderly populations. Others are customers who benefit from the program and who labeled the company's attempt to cut it "indefensible" and "abhorrent."

AT&T, for its part, has emphasized that no Ohio customer will lose voice service through the move but will instead receive it at the standard rate. Customers are free, it said, to receive the Lifeline discount from other providers in those areas.

The move "will have only a nominal impact on Ohio consumers who have demonstrated a clear preference for obtaining their Lifeline discount from (companies) other than

AT&T," the company said. "Over the past eight years, AT&T has seen its own Ohio Lifeline subscribership shrink by 94%."

Advocates, though, caution the move would strip vulnerable Ohioans of a valuable resource. The Ohio Consumers' Counsel and the Greater Edgemont Community Coalition are among those protesting the idea. In part, they've urged commissioners to solicit public input and take the federal case into consideration. (Docket)

In the federal case, the Federal Communications Commission is proposing changes critics say will erect more barriers for Lifeline consumers nationwide. There are about 608,000 total subscribers in Ohio, according to proponents of the program.

The PUCO and the Ohio Consumers' Counsel are among parties that have submitted comments in opposition to the federal proposal.

Under the proposed changes, eligible consumers must enroll online first through a third-party verifier and then through a specified carrier. Currently, the customer can enroll directly through their provider.

Proponents of the Lifeline program this week were denied a stay in the case when regulators determined the parties were unlikely to prevail on the merits and would not suffer irreparable injury.

In response, Q Link, the nation's third-largest Lifeline provider, on Thursday filed an emergency motion that if approved would enact additional changes to enable carriers to collect customer information directly from the third-party verifier.

Q Link serves about 40,000 Lifeline customers in Ohio. Sixty-seven percent reside in rural or suburban areas and 82% are new to Lifeline, which the company said indicates they were previously unserved by and may not have access to other providers.

"The...proposed change will be unnecessarily difficult and confusing for consumers," said Q Link CEO Issa Asad in a statement. "Beyond the impact on rural Americans, which will be significant, the new system's failure to include automated links with carriers will unnecessarily cost taxpayers tens of millions of dollars."

### **'Sweeping' Changes In Store After Federal Regulators Reject PJM Capacity Market Plans**

Federal regulators voted along party lines recently to toss aside two proposals from PJM Interconnection to revamp the capacity market, paving the way for a potentially drastic shake up in the months ahead.

PJM in April submitted two competing proposals for FERC's consideration on how to best overhaul the market. But in the end, the commission's 3-2 order went far beyond simply rejecting the proposals and instead paves the way for what one dissenting

commissioner labeled "sweeping" changes for the grid operator that serves 13 states. (See Gongwer Ohio Report, May 7, 2018)

In short, the commission determined subsidies for renewable and nuclear sources have rendered PJM's current tariff "unjust, unreasonable and unduly discriminatory" in that it fails to ensure adequate competition. FERC is now proposing to expand the minimum offer price rule - which enacts a screening process to gauge the competitiveness of new resources - among other changes.

"We find...the PJM Tariff allows resources receiving out-of-market support to significantly affect capacity prices in a manner that will cause unjust and unreasonable and unduly discriminatory rates in PJM regardless of the intent motivating the support," the majority wrote. "We are compelled...to conclude that out-of-market payments by certain PJM states have reached a level sufficient to significantly impact the capacity market clearing prices and the integrity of the resulting price signals on which investors and consumers rely to guide the orderly entry and exit of capacity resources."

Stakeholder groups in Ohio and beyond are still parsing the details of the 106-page order, but they have a short timetable to digest its ramifications. After the 60-day comment window, parties have 30 days for reply comments after which FERC wants to reach a solution.

PJM issued a statement stating its pleasure that FERC is taking action.

"The order appears to be a positive step to change competitive electric market design while recognizing the important role states play in influencing the resource mix through retail energy policies," according to PJM. "We will begin work immediately to develop the kind of bifurcated capacity construct envisioned by the commission and actively engage stakeholders, including the states, within the timetable laid out by the commission."

But FERC's two Democratic members issued scathing dissents regarding the substance of the order and the timeline laid out by the majority.

"Let's be clear: through its action today, the majority signals its intent to adopt, through a 90-day paper hearing, the most sweeping changes to the PJM capacity construct since the market's inception more than a decade ago," Commissioner Cheryl LaFleur wrote in her dissent. "If ultimately adopted, this proposal would fundamentally rebalance the resource adequacy responsibilities of the states, the commission, and PJM."

Commissioner Richard Glick said the commission in its order "entirely fails" to demonstrate its claims the market is unjust and further criticized the timeline.

"Requiring interested parties to decipher today's order, develop testimony, gather evidence, and meaningfully respond within 60 days is irresponsible," he said. "On top of that, this short timeframe essentially guarantees that PJM will not be able to work with the states to develop a proposal that aligns with state policies."

## **Agency Briefs: Hurst To Replace Plouck At ODMHAS; U.S. Unemployment Rate Up; OSHP; ODNR**

Dr. Mark Hurst will replace Tracy Plouck as director of the Department of Mental Health and Addiction Services next week as Ms. Plouck, a longtime administration official, leaves for the private sector.

Gov. John Kasich announced Dr. Hurst's appointment Friday. He will take over the department effective July 13.

Ms. Plouck has been in Gov. Kasich's cabinet since 2011 and has twice served as state Medicaid director. She also served as deputy director in the Department of Developmental Disabilities and the Office of Budget and Management.

"I'm extremely grateful to Tracy Plouck for her leadership, compassion, counsel and service to Ohio," Gov. Kasich said. "She has a servant spirit and exemplifies the best in public leadership. She is a model for other leaders to follow and I wish her and her family all the best in this new chapter of their lives."

Dr. Hurst has served as medical director at ODMHAS since 2012 and has been at the department since 1993.

"Dr. Hurst's leadership, insights and compassion have distinguished him as a valuable member of our team and contributed mightily to the progress Ohio is beginning to make against addiction and to lift up our fellow Ohioans struggling with mental illness," Gov. Kasich said in a statement. "I appreciate that he's agreed to take on this responsibility. The work ahead is monumental and the challenges will continue to shift, but his leadership has been-and will continue to be-an enormous asset in Ohio's efforts in these areas."

**Unemployment:** The U.S. added 213,000 jobs in June despite a loss of jobs in retail trade, but the unemployment rate rose to 4% as more people re-entered the labor force, the Bureau of Labor Statistics reported Friday.

The unemployment rate rose by 0.2 percentage points to 4% as the number of unemployed people rose by nearly 500,000 to 6.6 million, the BLS reported.

The overall labor force grew significantly, rising by 601,000, with the labor force participation rate rising 0.2 percentage points to 62.9%, the report said.

The survey found job gains of 50,000 for the month in professional and business services. Manufacturing employment grew by 36,000, mostly in durable goods manufacturing, including fabricated metal products (+7,000), computer and electronic products (+5,000) and primary metals (+3,000).

Motor vehicles and parts manufacturing bounced back from a loss of 8,000 jobs in May with a gain of 12,000 in June, the report found.

Health care employment was up 25,000 for the month, construction was up 13,000 and mining was up 5,000.

Retail trade lost 22,000 jobs, a month after seeing a gain of 25,000 in May.

**State Highway Patrol:** The patrol reported eight people were killed in four deadly crashes during the Fourth of July reporting period Tuesday and Wednesday. Impairment was a factor in at least one of the deadly crashes.

During last year's reporting period, from June 30 to July 4, there were 21 fatal crashes that killed 21 people, including eight OVI-related crashes, the patrol said.

Troopers made 296 impaired driving arrests and 276 arrests on drug charges. They responded to 297 crashes and assisted more than 2,000 motorists.

"When someone chooses to drive impaired the consequences can be deadly," Patrol Superintendent Col. Paul A. Pride said in a statement. "That's why troopers make OVI enforcement a priority, whether they're patrolling during a holiday weekend or any time of day. Motorists should always pre-plan a sober way home."

**Natural Resources:** The department's officers and partnering agencies issued 102 citations and 895 warnings last weekend during Operation Dry Water, a nationwide crackdown on impaired boating.

There were three boating-related fatalities in Ohio during the weekend, the ODNR said.

ODNR officers and partners contacted 3,500 boaters on 1,261 vessels for various violations during the crackdown.

The Division of Oil and Gas Resources Management reported that 2,840 permits had been issued for drilling in the Utica shale as of June 30, with 2,370 wells drilled and 1,904 in production.

#### **Burke Blasts Cordray's Medicaid Comments; Soybean Group Sounds Tariff Alarm; Boccheri Calls For More Local Funding**

A lawmaker on Friday accused Democratic gubernatorial candidate Richard Cordray of either lying about or not understanding the issue of Medicaid expansion.

Sen. Dave Burke (R-Marysville), who chairs the Senate Health, Human Services & Medicaid Committee, accused Mr. Cordray of twice in the past week saying that 26,000 children could be impacted if Medicaid expansion were rolled back.

However, Sen. Burke said in a statement that the expansion covers only childless adults.

"Richard Cordray continues to make Medicaid expansion a key part of his campaign for governor, but his statements over the past week prove he does not understand Ohio's Medicaid program. Cordray's comments in the media show he is either unprepared to be governor, or that he is willing to blatantly lie and use fear tactics to scare Ohioans into voting for him," he said.

"Medicaid comprises over 50% of Ohio's annual budget. If Richard Cordray doesn't understand such a key part of the state budget, then Ohioans simply cannot trust him to sit in the governor's office. Richard Cordray is making promises, and this week he's proven to us that that he doesn't know how he would keep them, even if he wanted to."

In response, the campaign of Mr. Cordray cited a 2016 report from the Georgetown University Center for Children and Families that credited Medicaid expansion for 26,000 children gaining insurance coverage from 2013-2015.

**Tariff Concerns:** The Ohio Soybean Association is sounding the alarm about retaliatory tariffs China has placed on American soybeans. The tariffs kicked in Friday in response to tariffs enacted by the Trump Administration that same day on an array of Chinese goods.

The group in a statement said 61% of all soybean exports go to China, which accounts for about \$14 billion annually in sales.

"This doesn't only hurt Ohio farmers, it will hurt the entire Ohio economy," said Allen Armstrong, OSA president and soybean farmer from Clark County. "We continue to believe that solutions can be found that do not involve tariffs and a trade war that will hurt all of rural America."

**Local Funding:** A new report by the Brookings Institute has led to a renewed call for more local government funding.

The report found that from 2010-2017, three Ohio cities ranked in the top 20 in population decline: Youngstown (19), Toledo (12) and Cleveland (5).

Rep. John Bocchieri (D-Alliance) in a statement called for additional funding for local governments to stem the tide of population loss.

"You can push the responsibility of raising revenue to the lowest layers of government while sending more and more to state government," he said. "As elected officials, we have a duty to work together to get things done - regardless of who is in charge."

#### **Case Remanded After Judge Cites Article In Sentencing; High Court Denies Stay Of Execution; Buckeye Institute Weighs In On Case...**

A federal district court judge erred in doubling a man's sentence after citing a Cleveland.com article on opioid overdoses, the Sixth Circuit Court of Appeals ruled recently.

Marcus Fleming in July 2016 was pulled over by Canton police and found to be carrying nearly 1,000 grams of cocaine.

Based on federal sentencing guidelines, the prosecution recommended five years in prison for Mr. Fleming.

However, at the sentencing hearing Judge John Adams cited the article before handing down a 10-year sentence.

Mr. Fleming argued he was prejudiced by the use of the article because he did not know it would be cited at the sentencing hearing and he was not provided an opportunity to address the issues raised.

The Sixth Circuit agreed, finding the sentence was rendered in a procedurally unreasonable manner.

"The district court's consideration of information about mixed cocaine-opioid overdose deaths was a surprise because, before the sentencing hearing, there was no indication that opioids were relevant to this case, let alone that they would play a prominent role. Fleming was convicted for possession of cocaine, not opioids," Judge John Rogers wrote in the court's decision.

"Nothing in the record suggested that opioids were found in Fleming's car, or that Fleming had ever sold or possessed opioids, or even that any cocaine Fleming sold had ever been mixed with opioids. Of course, opioids have been a topic of grave public concern in recent years, as their devastating and tragic effects have been felt across the country. But it was far from apparent that they were relevant to Fleming's sentence for possession of cocaine."

Judge Rogers was joined by Judge Raymond Kethledge and Judge Damon Keith in his decision.

The case is remanded back to the district court for sentencing.

**Stay Denied:** The Ohio Supreme Court has declined to stay the execution of a man set to be put to death this month.

In a unanimous ruling the court declined to stay the July 18 execution of Robert Van Hook.

He is on death row after being convicted of the 1985 murder of David Self.

**Judicial Deference:** The Buckeye Institute has filed an amicus brief in a case that could end judicial deference to executive agencies' interpretations of the law.

"The practice of courts relying on agencies to interpret the law has proven to be dysfunctional, inconsistent with our constitutional system, and has led to the erosion of individual liberties," President and CEO Robert Alt said in a statement. "It is time for the Supreme Court to junk *Chevron*."

**Disciplinary Proceedings:** The Board of Professional Conduct announced that 12 cases have been certified for formal disciplinary proceedings.

### **Portman Sets Sights On Deferred Park Maintenance; Dems Welcome Pruitt's Exit; Ryan Tours Immigrant Facility**

U.S. Sen. Rob Portman (R-Terrace Park) is among a bipartisan group of senators aiming to tackle about \$12 billion in deferred maintenance within the National Park Service.

He joined with senators Mark Warner (D-VA), Lamar Alexander (R-TN), and Angus King (I-ME) to introduce the Restore Our Parks Act, which has earned support from Secretary of the Interior Ryan Zinke, the National Parks Conservation Association, the Pew Charitable Trusts' Restore America's Parks Campaign and the Outdoor Industry Association.

"For more than a century, the National Park Service has been inspiring Americans to explore the natural beauty of our country," Sen. Portman said in a statement. "But in order to keep that work going, we need to ensure that they have the right resources to maintain our national parks. This bill will create the Legacy Restoration Fund to provide the National Park Service with funds for deferred maintenance projects."

The legislation would provide more than \$100 million in funding for work at parks and historic sites in Ohio. The vast majority of the funding would go toward improvements at two sites: Perry's Victory and International Peace Memorial in Put-in-Bay (\$47.7 million) and Cuyahoga Valley National Park in Cuyahoga and Summit counties (\$45.8 million).

**Resignation:** Democratic members of Ohio's congressional delegation had no kind words for U.S. EPA Administrator Scott Pruitt following his resignation Thursday.

"Scott Pruitt used taxpayer dollars to benefit himself while working to gut Lake Erie cleanup and the Renewable Fuel Standard and the Ohio jobs that depend on them," U.S. Sen. Sherrod Brown tweeted. "He never should have been confirmed in the first place, and it's past time for him to go."

U.S. Rep. Tim Ryan (D-Niles) issued a brief statement in response to the departure: "It's about time."

U.S. Rep. Joyce Beatty (D-Blacklick) simply tweeted "Byeeeeeee!" with a link to a media report about Mr. Pruitt's resignation.



**Immigration:** Rep. Ryan and three of his U.S. House colleagues from Michigan on Thursday received a tour of Bethany Christian Services' facility in Grand Rapids and learned about the organization's plans to reunite immigrant children with their families.

Rep. Ryan in a statement called the Trump administration's policy of separating children from parents at the U.S.'s southern border "state sponsored abuse."

"Children are traveling by themselves or with their loved ones to avoid violence and danger in their country, and they fled to the United States to find safety and security. They are doing what any responsible parent would do," he said. "But when they arrive at our border, the Trump Administration turns its back on our values and rips children away from their parents - with zero plan to bring them back together."

**Hearing:** Sen. Brown and Sen. Portman will conduct a field hearing of a congressional committee charged with solving looming pension problems next week at the Statehouse.

The House and Senate Joint Select Committee on Pensions will meet at 2 p.m. next Friday at in the Finan Hearing Room. The hearing will allow panel members to receive testimony from Ohio workers and retirees who could be affected if Congress fails to take action.

Multiple plans Ohioans participate in, including the Central States Teamsters Pension Plan, the United Mine Workers Pension Plan, the Ironworkers Local 17 Pension Plan, the Ohio Southwest Carpenters Pension Plan and the Bakers and Confectioners Pension Plan "are currently on the "brink of failure," according to a news release from Sen. Portman's office.

The committee, which has 16 members appointed by House and Senate leadership, has been tasked with reporting a bill to resolve the issue by the end of November.

### **Capitol Scene: Child Caring Group Updates Name**

The advocacy group formerly known as the Ohio Association of Child Caring Agencies has renamed itself the Ohio Children's Alliance, it was announced Friday.

The change, the group said, reflects the changing environment for child and family services.

"Our new name is more representative of our mission and the composition of our statewide network of community agencies," said Mark Mecum, the group's CEO. "Over the past five decades, our association has grown to over 70 community agencies that provide behavioral health, foster care, and other child and family services. We've also evolved into an alliance that fosters collaboration and innovation. Our new name symbolizes our commitment to Ohio's children and the agencies that serve them."

The organization was founded in 1973.

## Governor's Appointments

**State Dental Board:** Tracy Intihar of Columbus to the for a term beginning July 6, 2018, and ending April 6, 2021.

**Public Benefits Advisory Board:** Dasmine Wright of Columbus for a term beginning July 6, 2018, and ending June 30, 2021.

**Ohio Turnpike and Infrastructure Commission:** Guy C. Coviello of Youngstown for a term beginning July 6, 2018, and ending June 30, 2023.

**Ohio Arts Council:** Darryl D. Mehaffie of Greenville, Farid Naffah, MD of Cortland, and Neal F. Zimmers, Jr., JD of Granville have been reappointed to the for terms beginning July 6, 2018, and ending July 1, 2023.

## Supplemental Agency Calendar

**Tuesday, July 10**

Radioactive Materials Committee, 35 E. Chestnut St., Basement Training Room A, Columbus, 10:30 a.m.

**Friday, July 13**

Board of Voting Machine Examiners, 17th Fl., 180 E. Broad St., Columbus, 10 a.m.

## Supplemental Event Planner

**Monday, July 9**

Release of June casino revenue figures, 1:30 a.m.

17 S. High St., Suite 630

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Click the  after a bill number to create a saved search and email alert for that bill.

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## Daily Activity Planner for Saturday, July 7-Monday, July 9

### Legislative Committees

Monday, July 16

**Senate Finance** (Committee Record) (Chr. Oelslager, S., 466-0626), Finance Hearing Rm., 3 p.m.

**HB 123** **LENDING LAWS** (Koehler, K., Ashford, M.) To modify the Short-Term Loan Act, to specify a minimum duration requirement for loans made under the Small Loan Law and Mortgage Loan Law, and to limit the authority of credit services organizations to broker extensions of credit for buyers. (6th Hearing-All testimony-Possible amendments & vote)

### Agency Calendar

Monday, July 9

**State Board of Education**, 25 South Front St., Columbus, 8:30 a.m.  
**Controlling Board**, North Hearing Rm., Senate Bldg., Columbus, 1:30 p.m.

### Event Planner

Monday, July 9

**Release of June casino revenue figures**, 1:30 a.m.  
**Rep. Gary Scherer (R-Circleville)** golf outing fundraiser, Cooks Creek Golf Club, 14065 U.S. Rt. 23, S. Bloomfield, 11 a.m., (11 am registration; 12 pm shotgun)

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## Legislative Committee Schedules beginning 7/9/2018

### Monday, July 9

Senate Finance (Committee Record) (Chr. Oelslager, S., 466-0626), Finance Hearing Rm., 3 p.m.

**HB 123** **LENDING LAWS (Koehler, K., Ashford, M.)** To modify the Short-Term Loan Act, to specify a minimum duration requirement for loans made under the Small Loan Law and Mortgage Loan Law, and to limit the authority of credit services organizations to broker extensions of credit for buyers. (6th Hearing-All testimony-Possible amendments & vote)

### Tuesday, July 10

Senate Finance (Committee Record) (Chr. Oelslager, S., 466-0626), Finance Hearing Rm., 9 a.m.

- If needed

**HB 123** **LENDING LAWS (Koehler, K., Ashford, M.)** To modify the Short-Term Loan Act, to specify a minimum duration requirement for loans made under the Small Loan Law and Mortgage Loan Law, and to limit the authority of credit services organizations to broker extensions of credit for buyers. (7th Hearing-Possible amendments & vote)

Senate Rules & Reference (Committee Record) (Chr. Obhof, L., 466-7505), Majority Conf. Rm., 10 a.m.

Senate Session (Committee Record) (Chr. Obhof, L., 466-4900), Senate Chamber, 11 a.m.


### Thursday, July 12

Ohio Retirement Study Council (Committee Record) (Chr. Schuring, K., 228-1346), Rm. 121, 10 a.m.  
Managed Long-Term Services and Supports Study Committee (Chr. Burke, D., 000-0467), Senate Finance Hearing Rm., 10 a.m.

- Providers and consumers of MyCare services will be invited to share their perspectives on MyCare Ohio along with Q & A (100 minutes); Quality Measures Data from Department of Medicaid (20 minutes)

### Monday, July 16

Joint Committee on Agency Rule Review (Committee Record) (Chr. Uecker, J., 644-6030), Senate Finance Hearing Rm., 1:30 p.m.

**NOTE:** Click bill or resolution number links to see the legislative history compiled by Gongwer News Service. Click the  after a bill number to create a saved search and email alert for that bill. Click "Full Text" if present to view the text of legislation on the Legislature's Web site.

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## **Event Planner**

### **Monday, July 9**

Release of June casino revenue figures, 1:30 a.m.

Rep. Gary Scherer (R-Circleville) golf outing fundraiser, Cooks Creek Golf Club, 14065 U.S. Rt. 23, S. Bloomfield, 11 a.m., (11 am registration; 12 pm shotgun)

### **Tuesday, July 10**

Rep. Scott Lipps (R-Franklin) fundraiser, Due Amici, 67 E. Gay St., Columbus, 11:30 a.m., (Host: \$1,000, Sponsor: \$500, Patron: \$350 to Friends of Scott Lipps)

### **Wednesday, July 11**

Rep. Richard Brown (D-Canal Winchester) fundraiser, The Paddock Club, 1005 Richardson Rd., Groveport, 5:30 p.m., (Sponsor Levels: Sponsor \$250, Host \$100, Guest \$50 to Citizens for Richard Brown)

### **Thursday, July 12**

Rep. Hearcel Craig (D-Columbus) fundraiser, Crest Gastropub, 621 Parsons Ave., Columbus, 5:30 p.m., (Host \$500, Friend \$250, Supporter \$150; Guest \$69 to Friends of Hearcel F. Craig)

### **Monday, July 16**

Rep. Bill Reineke (R-Tiffin) golf outing fundraiser, Mohawk Golf Course, 4399 OH-231, Tiffin, 8:30 a.m., (8:30 am registration; 10 am shotgun)

### **Tuesday, July 17**

Republican Senate Campaign Committee MLB All-Star Game fundraiser, Dock 79, 79 Potomac Ave SE, Washington DC, 5 p.m., (Walk Off: \$5,000 | Grand Slam: \$2,500 | Home Run: \$1,000 to RSCC)

### **Thursday, July 19**

ALEC Annual Meeting, Denver

Sen. Stephanie Kunze (R-Hilliard) manicure fundraiser, W Nail Bar, 946 N. High Street, Columbus, 4 p.m., (PAC: \$500 | Individual: \$250 | Young Professional: \$50 to Citizens for Stephanie Kunze. RSVP is required to ensure appointment.)

Sen. Matt Dolan (R-Chagrin Falls) Batter Up fundraiser, Progressive Field, 2401 Ontario Street, Cleveland, 4 p.m., (4:00pm Warm Up & Batting | 5:30pm Reception. Grand Slam: \$5,000 | Home Run: \$2,500 | Single: \$1,000 | Spectator: \$150 to Friends of Matt Dolan)

## **Friday, July 20**

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### **ALEC Annual Meeting, Denver**

Rep. Tom Patton (R-Strongsville) golf outing fundraiser, Mallard Creek Golf Club, 34500 Royalton Road (SR 82), Columbia Station, 10 a.m., (10:00 am Shotgun start; Tournament: \$2,000, Eagle: \$1,000; Foursome: \$600, Birdie:\$5000, Person: \$150 to Friends of Tom Patton)

## **Saturday, July 21**

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### **ALEC Annual Meeting, Denver**

## **Sunday, July 22**

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### **YMCA Youth & Government Leaders Training School, Statehouse, Columbus**

## **Monday, July 23**

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### **YMCA Youth & Government Leaders Training School, Statehouse, Columbus**

Sen. Matt Huffman (R-Lima) golf outing fundraiser, Hidden Creek Golf Club, 6245 Sugar Creek Road, Lima, 9 a.m., (9:00am Registration | 10:00am Shotgun Start. Event Sponsor: \$1,000 | Foursome: \$400 | Tee or Green Sponsor: \$200 | Individual Golfer: \$100 to Huffman for Ohio)

## **Tuesday, July 24**

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### **YMCA Youth & Government Leaders Training School, Statehouse, Columbus**

Rep. Bill Seitz (R-Cincinnati) fundraiser, Gresso's, 961 S. High St., Columbus, 5 p.m., (Gold: \$2,000; Silver: \$1,000; Bronze: \$500 to Seitz for Ohio)

## **Wednesday, July 25**

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### **YMCA Youth & Government Leaders Training School, Statehouse, Columbus**

Sen. Rob McColley (R-Napoleon) golf outing fundraiser, Eagle Rock Golf Club, 211 Carpenter Road, Defiance, 11 a.m., (11:00am Registration and Lunch | 12:00pm Shotgun Start | 5:30pm Cocktail Hour | 6:00pm Dinner with State Rep. Craig Riedel. Event Sponsor: \$2,500 | Tee Sponsor: \$1,000 | Green Sponsor: \$500 | Foursome: \$400 | Dinner Sponsor: \$250 | Individual Golfer: \$100 to Citizens for McColley)

## **Thursday, July 26**

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### **YMCA Youth & Government Leaders Training School, Statehouse, Columbus**

Rep. Craig Riedel (R-Defiance) golf outing fundraiser, Eagle Rock Golf Club, 211 Carpenter Rd., Defiance, 9:30 a.m., (9:30 Shotgun Start. Event:\$2,500, Tee:\$1,000, Green:\$500, Foursome:\$400, Golfer: \$100 to Citizens to Elect Craig Riedel) Rep. Bill Blessing (R-Cincinnati) fundraiser, Via Vite, 520 Vine St., Cincinnati, 11:30 a.m., (Sponsor: \$1,000, Host: \$500, Guest: \$250 to Citizens for Blessing)

**Friday, July 27**

**YMCA Youth & Government Leaders Training School, Statehouse, Columbus**

**Monday, July 30**

**NCSL Legislative Summit, Los Angeles**

**Tuesday, July 31**

**NCSL Legislative Summit, Los Angeles**

**Deadline to file semi-annual campaign finance reports**

**Wednesday, August 1**

**NCSL Legislative Summit, Los Angeles**

**Rep. Riordan McClain (R-Upper Sandusky) golf outing fundraiser**

**Thursday, August 2**

**NCSL Legislative Summit, Los Angeles**

**Rep. Anne Gonzales (R-Westerville) Lake Erie fundraiser, Dock's Beach House, 252 W. Lakeshore Drive, Port Clinton, 4 p.m., (Sponsor: \$2,500 | Host: \$1,000 | Guest: \$500 to Citizens for Anne Gonzales)**

**Friday, August 3**

**Deadline for statewide candidates to file July campaign finance reports**

**Speaker Ryan Smith (R-Bidwell) golf outing fundraiser, Cliffside Golf, 100 Cliffside Drive, Gallipolis, 9 a.m., (Coffee/Registration: 9:00am; Shotgun Start: 10:00am; Event Chair: \$12,707.79; Event host: \$5,000; Event sponsor: \$2,500; Tee Sponsor: \$1,000; Foursome: \$500; Individual Golfer: \$150; Reception only: \$75 to Friends of Ryan Smith)**

**Sen. Sandra Williams (D-Cleveland) fundraiser, FOP Hall, 2249 Payne Ave., Cleveland, 5 p.m., (\$200 (table); \$20 (friend) to Friends of Sandra Williams)**

**Tuesday, August 7**

**Special election for 12th Congressional District seat**

**Rep. Laura Lanese (R-Grove City) fundraiser, Condado, 132 S. High St., Columbus, 11:30 a.m., (Host: \$1,000, Sponsor: \$500, Patron: \$350 to Lanese for Ohio)**

**Wednesday, August 15**

**Rep. Theresa Gavarone (R-Bowling Green) golf outing fundraiser**

**Thursday, August 16**

**Sen. Bob Hackett (R-London) golf outing fundraiser**



**Friday, August 17**

**Sen. Bill Beagle (R-Tipp City) Fly Fishing fundraiser**

**Monday, August 20**

**Rep. Laura Lanese (R-Grove City) golf outing fundraiser, Pinnacle Golf Club, 1500 Pinnacle Golf Club Dr., Grove City, 10 a.m., (10:00 am Registration, 11:00 am Shotgun start, Dinner to follow; Event:\$1,500, Food and Beverage: \$700, Golfer: \$150; Hole: \$100 to Lanese for Ohio)**

**Thursday, August 23**

**Hamilton County GOP State Legislative golf outing fundraiser**

**Monday, August 27**

**Rep. Scott Ryan (R-Newark) golf outing fundraiser, Denison Golf Club, 555 Newark Granville Rd., Granville, 9 a.m., (9:00 am Registration, 10:00 am Shotgun Start. Event: \$2500; Food and Beverage: \$1000; Tee: \$750; Foursome: \$500; Golfer: \$125; Green: \$100 to Citizens for Scott Ryan)**

**Saturday, September 1**

**Lobbyists/Employers can begin filing May-August 2018 Activity & Expenditure Reports**

**Thursday, September 6**

**Deadline for statewide candidates to file August campaign finance reports  
Rep. Rick Carfagna (R-Westerville) golf outing fundraiser**

**Friday, September 14**

**Rep. Dave Greenspan (R-Westlake) golf outing fundraiser, Springdale Golf Course, 5871 Canterbury Road, North Olmstead, 9 a.m., (9:00 am Shotgun Start, Lunch at the Turn, Dinner to follow; Dinner Sponsor: \$1,500, Lunch Sponsor: \$1,000, Drink Sponsor: \$750, Hole Sponsor: \$100; Foursome: \$500, Single Golfer: \$125, Dinner only: \$60 to Friends of Dave Greenspan)**

**Thursday, September 27**

**Sen. President Larry Obhof (R-Medina) shotgun fundraiser**

**Friday, September 28**

**Rep. Dave Greenspan (R-Westlake) golf outing fundraiser  
Sen. Joe Uecker (R-Loveland) Day at the Races fundraiser**

**Monday, October 1**

**JLEC Deadline for filing May-August 2018 Activity & Expenditure Report**

**Wednesday, October 3**

**Deadline for statewide candidates to file September campaign finance reports**

**Thursday, October 25**

**Deadline to file pre-general campaign finance reports**

**Tuesday, November 6**

**General election day**

**Thursday, November 8**

**2018 Impact Ohio Post Election Conference, Greater Columbus Convention Center, 400 N. High St., Columbus**

**Saturday, December 1**

**Lobbyists can begin renewing Legislative, Executive and Retirement System registrations for 2019**

**Friday, December 14**

**Deadline to file post-general campaign finance reports**

**Monday, December 31**

**All 2018 Legislative, Executive and Retirement System lobbying registrations expire in OLAC**

**Thursday, January 31**

**Deadline to 2018 annual campaign finance reports**

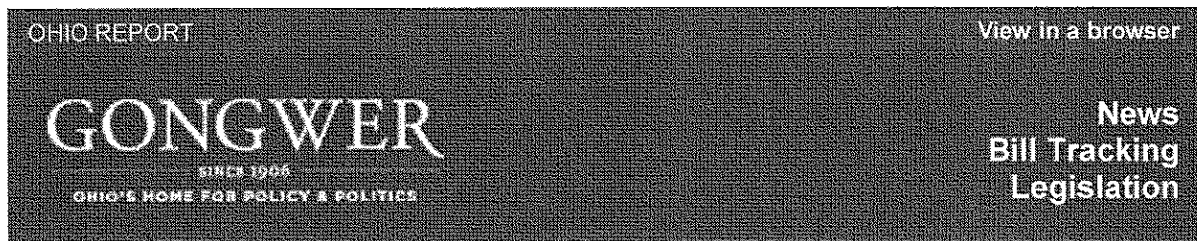
**Deadline to 2018 annual campaign finance reports**

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**To:** Adams, Alexandra  
**Subject:** Ohio Report, Friday, July 6, 2018  
**Attachments:** Jul6.htm; 180706dayplan.htm; Jul9Schedule.htm; 180706plan.htm



## **OHIO REPORT FRIDAY, JULY 6**

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**State Touts Mental Health Parity With Managed Care Integration Of Behavioral Services**

**CAUV 'On the Road To Correction' Following Budget Changes, Group Says**

**Ed Board Expected To Debate, Vote On Third-Grade Reading Benchmark**

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**Volume #87, Report #130 -- Friday, July 6, 2018**

**Payday Lending Proposal Slated For Rare Summer Action In Senate Next Week**

An expected legislative break is being cut short for the Senate as the chamber is set to return next week to continue its work considering a contentious overhaul of short-term lending laws.

The payday lending bill (HB 123) is slated for consideration by the Senate Finance Committee Monday and Tuesday, if necessary. The measure is expected to come up before the full Senate Tuesday morning.

The Finance Committee meetings are expected to be the only committee action of the week.

John Fortney, spokesman for Senate President Larry Obhof (R-Medina), said amendments are expected Monday or Tuesday.

What that language will look like remains unclear.

The committee spent much of last week hearing testimony on the measure and weighing potential changes offered by Sen. Matt Huffman (R-Lima).

Backers of the original language, which would limit fees and interest rates and require repayment to be capped at 5% of the borrower's income, balked at proposed changes in the Senate. (See Gongwer Ohio Report, June 21, 2018)

Proponents, including the Pew Charitable Trusts, voiced openness to some changes, such as increasing the allowable loan sizes and rates, that would still preserve the overarching framework. (See Gongwer Ohio Report, June 25, 2018)

Sen. Matt Dolan (R-Chagrin Falls) said this week he had prepared amendments to that effect but wasn't sure whether the committee would work from the House-passed language or from a framework outlined by Sen. Huffman.

"My amendments were directed toward 123 based on what I heard in terms of testimony and in terms of what could help within the structure of 123 to increase the costs a little bit to help out the lenders," he said in an interview.

Those discussions have included increased rates and allowable fees, including raising the limit on what a borrower can be required to pay back to perhaps as high as 10% of their income, Sen. Dolan said.

"That would obviously increase the ability for the borrower to borrow more money," Sen. Dolan said. "We're trying to find that fine line."

Supporters of the initial language have said raising the 5% income limit to perhaps 7% or 8% would be acceptable, but 10% could be too high.

Sen. Huffman's proposals would create a framework around the total costs of installment loans, limiting those to a per diem rate based on the size and duration of the loan. He has said the proposal would also cap the total principal amount a borrower could have out at any one time at \$2,500. (See Gongwer Ohio Report, June 26, 2018)

### **State Touts Mental Health Parity With Managed Care Integration Of Behavioral Services**

With the July 1 carve-in of behavioral health services in Medicaid into managed care, the state says it is now compliant with a 2008 federal law requiring parity for mental health and addiction services.

The departments of Medicaid and of Mental Health and Addiction Services released a report examining compliance by managed care plans in providing parity in patients' access to those services.

The state was initially scheduled to show compliance in October 2017 but received approval from federal regulators to wait until the July 1 integration of behavioral health services into managed care. (See Gongwer Ohio Report, June 28, 2018)

"That gave us the opportunity to have our implementation dates be the same as our carve-in," Medicaid Director Barbara Sears said in an interview.

The behavioral health integration is a separate effort from the work toward parity, but the state decided to have those dates coincide because of the way it framed its plan with the federal Centers for Medicare and Medicaid Services, said Patrick Stephan, director of managed care for ODM.

"What we didn't want to do was have to go through the process twice," he said. "Had we not connected this with our integration of behavioral health services into managed care, we would've had to have done it on the fee-for-service side."

Parity means managed care plans will be prevented from having cumbersome prior authorization requirements, limits on service days or other restrictions on mental health services that aren't used on physical health services, Mr. Stephan said.

"At its core, this act requires us to make certain that within Medicaid, and in this case within the managed care plans' administration of the benefit, that we do not have qualitative or quantitative requirements on mental health services that are more stringent than what you would get on the physical side," he said.



Mr. Stephan said the move toward managed care will also help ensure patients' access to mental health services because plans are required to provide that access and can incentivize providers in order to achieve it.

"In the fee for service side, we had very little ability to encourage new providers into the market," he said. "On the managed care side, we have standards that the plans must meet, and if they don't, then they get fined, they get penalized."

Lori Criss, CEO of the Ohio Council of Behavioral Health and Family Services Providers, said parity is key but questioned whether the system has actually achieved the goal.

"Fully implementing and robustly enforcing the Mental Health Parity and Addiction Equity Act of 2008 is critically important to ensure that Ohioans can understand and access the health insurance benefits rightly available to them," she said in a statement. "While we appreciate Ohio Medicaid's compliance report, the analysis appears to lack sufficient detail to support its broad conclusion without review of the underlying assessment documents."

Moving forward, the state will have to ensure parity standards are met, she said.

"The real test will be how well Medicaid promotes transparency and holds the plans accountable for the law's requirements," she said. "The Ohio Parity at 10 Coalition looks forward to working with lawmakers and the administration to raise awareness of the law's benefits to Ohioans, their families and employers."

#### **CAUV 'On the Road To Correction' Following Budget Changes, Group Says**

Budget language aimed at alleviating increased costs from rising Current Agricultural Use Values are having their intended impact, the Ohio Farmers Union told state officials recently.

The Department of Taxation each year holds a public hearing in June to brief farmers and interest groups on the latest values and to gather feedback on the subject.

In recent years, the meetings have been the site of much angst as some farmers grapple with sharp increases. During the 2014 tax year, the high watermark, increases were seen as high as 400%. (See Gongwer Ohio Report, June 2, 2017)

"We had tremendous increase in the CAUV values going back to 2008," said Ted Finnarn, attorney for the organization. "Because of (the changes), the CAUV values have come down and are heading back down to where they should have been."

But the latest meeting came and went with little fanfare, with the union providing the only testimony and praising the recent changes.

"We're finally on the road to correction," Mr. Finnarn said in an interview. "By the 2020 cycle, the CAUV values will be down so farmers have more reasonable taxes."

Gloria Gardner, assistant administrator for the department, said the statewide average value for cropland came in at \$1,015 per acre for tax year 2018, down about 27% from 2015 values which were \$1,388. The values are updated every three years as counties undergo their appraisal process.

"The values are dropping pretty significantly due to some of the changes that were in House Bill 49 in 2017 and this is the second year of implementing those changes," Ms. Gardner said. "The woodland values are also coming down."

The budget changes, which originated in the Senate, modified the factors to be used in computing the values and placed a ceiling on the taxable value of CAUV land if it is also used for conservation purposes. The changes were phased across two stages over a six year assessment cycle.

"We sort of had a perfect storm - all of these things coming together - and we had extremely high values that were unwarranted and unfair and unprecedented," Mr. Finnarn said. "Now we're on the road to having more reasonable real estate taxes for farmers and woodland owners."

Not all parties were pleased with the budget changes, however. School groups expressed repeated concerns with how the changes might impact their districts, forecasting a 30% reduction in farming property values that would shift the burden onto other property owners.

Barbara Shaner, advocacy specialist for the Ohio Association of School Business Officials, said those fears continue.

"We're still sorting out the results of the most recent information from the tax department but we also think we won't see the full effect for a few more years because not all the counties have undergone their reevaluation," Ms. Shaner said. "We remain concerned and we'll continue to monitor the way it's turning out."

### **Ed Board Expected To Debate, Vote On Third-Grade Reading Benchmark**

The State Board of Education is set to vote to increase the Third Grade Reading Guarantee promotion score next weekend at its monthly meeting.

A proposal to raise the benchmark students would need to meet on the Ohio State Test for third grade English and language arts from 672 to 677 was set for a possible vote by the panel's Achievement and Graduation Requirements Committee last month, but it ultimately delayed its decision. (See Gongwer Ohio Report, June 12, 2018)

The committee is once again scheduled to discuss the proposal at its 8:30 a.m. Tuesday meeting, with the full board expected to consider the resolution enacting the change later that day. The resolution is set for consideration as an emergency measure, so it would take effect before the start of the next school year.

The state board is required by law to review the third grade language arts benchmark and adjust it upward annually until it reaches 700, which indicates proficiency, according to a memo sent to committee members late last month by the Department of Education's legal staff.

Despite the requirement that the score increase, the committee balked at recommending the promotion score be set at 677 last month, with multiple members asking for more time to discuss the potential change with local school district officials.

District 4 board member Pat Bruns at the time said she was concerned raising the score could mean districts' improvements at teaching young readers would not be reflected in state report cards, sending a "false message" to community members.

An overview of the issue provided by ODE to the committee states that: "Because of the state law, the education community is expecting to see a modest increase in the promotion score. No one will be surprised by an increase."

ODE also argues the change in the overall language arts score from 672 to 677 corresponds to the smallest possible increase in the reading subscore, from 44 to 45.

"It is possible this change will not increase the number or percent of students who are retained. If there is a reduction in the number of students promoted, we would expect it to be small," the overview states.

At-large board member Laura Kohler, the committee's chairwoman, previously said she supports the plan to increase the benchmark to 677 because administrators and teachers have been preparing for it with increased aid from the state.

"We're looking at a different landscape than we were a couple of year ago with the supports that are in place," she said.

**Subscriber's Note:** The full agenda for the State Board of Education's Monday and Tuesday meeting is available online.

### **Rover, FERC Staff Spar Over Land Restoration, Pipeline Operations**

Rover Pipeline operators, long at odds with state regulators, are now amping up their frustration with their federal overseers.

In recent missives, Rover Pipeline LCC blasted Federal Energy Regulatory Commission staff for what it considers the commission's failure to authorize full operation of a major section of the controversial project. (See Gongwer Ohio Report, June 1, 2018)

The lack of action on FERC's part has left Rover "more than a little baffled," wrote Rover Senior Vice President Chris Sonneborn. But FERC staff said the delays are prompted by Rover's failure to restore land impacted by the project by a June 30 deadline. The

company in recent weeks has informed staff restoration efforts are likely to continue until "at least" July 30.

According to Rover, FERC staff in May authorized service to commence on a main segment of the pipeline called Supply Connector Line B. But in doing so, staff withheld granting in-service authorization for two laterals pending further review.

"As a result of staff's inaction, significant volumes of natural gas have been unable to flow on pipeline facilities that have been completed for nearly a month," Mr. Sonneborn wrote. "This is unfortunate, because...the incremental natural gas supply that would have been available to flow would have been used to offset the large deficit the nation is facing to replenish storage inventories in preparation for the 2018-2019 heating season...."

Failure to act soon, the company claims, is outside "the public interest." But FERC declined to be persuaded by the company's comments. Staff instead responded with a formal notice directing the company to complete outstanding restoration activities at those two Ohio sites.

"Because restoration of these facilities was not complete at the time of in-service authorization, Rover committed to completing the remaining restoration activities by specific dates," wrote John Wood, FERC's deputy director of the Office of Energy Projects. "However, commission staff monitoring certificate compliance believes that rover will be unable to meet a number of those commitments...."

As a result, staff directed Rover to take "prompt and immediate action" and to file prior to July 9 a detailed account of why the company cannot adhere to the agreed upon timetable.

"Neither the commission nor its staff takes lightly a pipeline's commitments to restore and rehabilitate affected lands," Mr. Wood said. "Accordingly, the commission expects pipelines to follow through on their commitments to restore and rehabilitate land and other resources disturbed by the construction of a certificated pipeline."

In response, Mr. Sonneborn issued a second letter this week leveling further attacks, accusing FERC staff of making "several inaccurate statements" toward the project and the company's willingness to fulfill its land restoration commitments.

"For the record, and as Rover has stated previously in this docket on numerous occasions, Rover will honor and meet all of its restoration commitments - whether those are scheduled to occur before or after Rover is fully in service," Rover wrote. "Any implication to the contrary is simply untrue."

Rover now is also accusing FERC staff of "a fundamental misunderstanding" of how the restoration process works.

"A company can supply ample resources, equipment, and personnel to restoration efforts; however, the variable of weather, and therefore the pace of restoration, is simply outside of any pipeline's control," Rover wrote. "There is no amount of planning or resources that can change the reality that on any major pipeline project there are always going to be changes to the restoration schedule due to events outside of the pipeline's control."

The company's public pushback accusing FERC of stating falsehoods is much like the back-and-forth Rover has engaged in with the Ohio Environmental Protection Agency. Rover and the OEPA have engaged in a months-long back and forth with Rover accusing OEPA of cooperating with the company in private but taking an adversarial approach in public.

That tiff ultimately led to a lawsuit filed by the state, which Rover and several other defendants have filed to dismiss. (See Gongwer Ohio Report, March 5, 2018)

### **Public Comments Continue On State, Federal Lifeline Proposals**

Stakeholder groups and citizens are continuing their efforts to thwart state and federal proposals that would eliminate in whole or in part a federal discount program for low-income customers.

At the state level, AT&T is proposing to discontinue its participation in the federal Lifeline program - which grants eligible customers a \$9.25 monthly credit - in areas in which another provider operates that service.

But the Public Utilities Commission of Ohio has yet to approve that plan and in recent days has urged the public to weigh in via written feedback.

Meanwhile, the Federal Communications Commission is weighing a similar but more far-reaching plan that would largely eliminate the resource for a swathe of customers across the country. (See Gongwer Ohio Report, February 23, 2018)

In the PUCO case, comments have been submitted from a handful of citizens as of Friday, each urging the commission to deny AT&T's plan and maintain the program.

Several commenters described themselves as licensed social workers working with elderly populations. Others are customers who benefit from the program and who labeled the company's attempt to cut it "indefensible" and "abhorrent."

AT&T, for its part, has emphasized that no Ohio customer will lose voice service through the move but will instead receive it at the standard rate. Customers are free, it said, to receive the Lifeline discount from other providers in those areas.

The move "will have only a nominal impact on Ohio consumers who have demonstrated a clear preference for obtaining their Lifeline discount from (companies) other than

AT&T," the company said. "Over the past eight years, AT&T has seen its own Ohio Lifeline subscribership shrink by 94%."

Advocates, though, caution the move would strip vulnerable Ohioans of a valuable resource. The Ohio Consumers' Counsel and the Greater Edgemont Community Coalition are among those protesting the idea. In part, they've urged commissioners to solicit public input and take the federal case into consideration. (Docket)

In the federal case, the Federal Communications Commission is proposing changes critics say will erect more barriers for Lifeline consumers nationwide. There are about 608,000 total subscribers in Ohio, according to proponents of the program.

The PUCO and the Ohio Consumers' Counsel are among parties that have submitted comments in opposition to the federal proposal.

Under the proposed changes, eligible consumers must enroll online first through a third-party verifier and then through a specified carrier. Currently, the customer can enroll directly through their provider.

Proponents of the Lifeline program this week were denied a stay in the case when regulators determined the parties were unlikely to prevail on the merits and would not suffer irreparable injury.

In response, Q Link, the nation's third-largest Lifeline provider, on Thursday filed an emergency motion that if approved would enact additional changes to enable carriers to collect customer information directly from the third-party verifier.

Q Link serves about 40,000 Lifeline customers in Ohio. Sixty-seven percent reside in rural or suburban areas and 82% are new to Lifeline, which the company said indicates they were previously unserved by and may not have access to other providers.

"The...proposed change will be unnecessarily difficult and confusing for consumers," said Q Link CEO Issa Asad in a statement. "Beyond the impact on rural Americans, which will be significant, the new system's failure to include automated links with carriers will unnecessarily cost taxpayers tens of millions of dollars."

### **'Sweeping' Changes In Store After Federal Regulators Reject PJM Capacity Market Plans**

Federal regulators voted along party lines recently to toss aside two proposals from PJM Interconnection to revamp the capacity market, paving the way for a potentially drastic shake up in the months ahead.

PJM in April submitted two competing proposals for FERC's consideration on how to best overhaul the market. But in the end, the commission's 3-2 order went far beyond simply rejecting the proposals and instead paves the way for what one dissenting

commissioner labeled "sweeping" changes for the grid operator that serves 13 states. (See Gongwer Ohio Report, May 7, 2018)

In short, the commission determined subsidies for renewable and nuclear sources have rendered PJM's current tariff "unjust, unreasonable and unduly discriminatory" in that it fails to ensure adequate competition. FERC is now proposing to expand the minimum offer price rule - which enacts a screening process to gauge the competitiveness of new resources - among other changes.

"We find...the PJM Tariff allows resources receiving out-of-market support to significantly affect capacity prices in a manner that will cause unjust and unreasonable and unduly discriminatory rates in PJM regardless of the intent motivating the support," the majority wrote. "We are compelled...to conclude that out-of-market payments by certain PJM states have reached a level sufficient to significantly impact the capacity market clearing prices and the integrity of the resulting price signals on which investors and consumers rely to guide the orderly entry and exit of capacity resources."

Stakeholder groups in Ohio and beyond are still parsing the details of the 106-page order, but they have a short timetable to digest its ramifications. After the 60-day comment window, parties have 30 days for reply comments after which FERC wants to reach a solution.

PJM issued a statement stating its pleasure that FERC is taking action.

"The order appears to be a positive step to change competitive electric market design while recognizing the important role states play in influencing the resource mix through retail energy policies," according to PJM. "We will begin work immediately to develop the kind of bifurcated capacity construct envisioned by the commission and actively engage stakeholders, including the states, within the timetable laid out by the commission."

But FERC's two Democratic members issued scathing dissents regarding the substance of the order and the timeline laid out by the majority.

"Let's be clear: through its action today, the majority signals its intent to adopt, through a 90-day paper hearing, the most sweeping changes to the PJM capacity construct since the market's inception more than a decade ago," Commissioner Cheryl LaFleur wrote in her dissent. "If ultimately adopted, this proposal would fundamentally rebalance the resource adequacy responsibilities of the states, the commission, and PJM."

Commissioner Richard Glick said the commission in its order "entirely fails" to demonstrate its claims the market is unjust and further criticized the timeline.

"Requiring interested parties to decipher today's order, develop testimony, gather evidence, and meaningfully respond within 60 days is irresponsible," he said. "On top of that, this short timeframe essentially guarantees that PJM will not be able to work with the states to develop a proposal that aligns with state policies."

## **Agency Briefs: Hurst To Replace Plouck At ODMHAS; U.S. Unemployment Rate Up; OSHP; ODNR**

Dr. Mark Hurst will replace Tracy Plouck as director of the Department of Mental Health and Addiction Services next week as Ms. Plouck, a longtime administration official, leaves for the private sector.

Gov. John Kasich announced Dr. Hurst's appointment Friday. He will take over the department effective July 13.

Ms. Plouck has been in Gov. Kasich's cabinet since 2011 and has twice served as state Medicaid director. She also served as deputy director in the Department of Developmental Disabilities and the Office of Budget and Management.

"I'm extremely grateful to Tracy Plouck for her leadership, compassion, counsel and service to Ohio," Gov. Kasich said. "She has a servant spirit and exemplifies the best in public leadership. She is a model for other leaders to follow and I wish her and her family all the best in this new chapter of their lives."

Dr. Hurst has served as medical director at ODMHAS since 2012 and has been at the department since 1993.

"Dr. Hurst's leadership, insights and compassion have distinguished him as a valuable member of our team and contributed mightily to the progress Ohio is beginning to make against addiction and to lift up our fellow Ohioans struggling with mental illness," Gov. Kasich said in a statement. "I appreciate that he's agreed to take on this responsibility. The work ahead is monumental and the challenges will continue to shift, but his leadership has been-and will continue to be-an enormous asset in Ohio's efforts in these areas."

**Unemployment:** The U.S. added 213,000 jobs in June despite a loss of jobs in retail trade, but the unemployment rate rose to 4% as more people re-entered the labor force, the Bureau of Labor Statistics reported Friday.

The unemployment rate rose by 0.2 percentage points to 4% as the number of unemployed people rose by nearly 500,000 to 6.6 million, the BLS reported.

The overall labor force grew significantly, rising by 601,000, with the labor force participation rate rising 0.2 percentage points to 62.9%, the report said.

The survey found job gains of 50,000 for the month in professional and business services. Manufacturing employment grew by 36,000, mostly in durable goods manufacturing, including fabricated metal products (+7,000), computer and electronic products (+5,000) and primary metals (+3,000).

Motor vehicles and parts manufacturing bounced back from a loss of 8,000 jobs in May with a gain of 12,000 in June, the report found.



Health care employment was up 25,000 for the month, construction was up 13,000 and mining was up 5,000.

Retail trade lost 22,000 jobs, a month after seeing a gain of 25,000 in May.

**State Highway Patrol:** The patrol reported eight people were killed in four deadly crashes during the Fourth of July reporting period Tuesday and Wednesday. Impairment was a factor in at least one of the deadly crashes.

During last year's reporting period, from June 30 to July 4, there were 21 fatal crashes that killed 21 people, including eight OVI-related crashes, the patrol said.

Troopers made 296 impaired driving arrests and 276 arrests on drug charges. They responded to 297 crashes and assisted more than 2,000 motorists.

"When someone chooses to drive impaired the consequences can be deadly," Patrol Superintendent Col. Paul A. Pride said in a statement. "That's why troopers make OVI enforcement a priority, whether they're patrolling during a holiday weekend or any time of day. Motorists should always pre-plan a sober way home."

**Natural Resources:** The department's officers and partnering agencies issued 102 citations and 895 warnings last weekend during Operation Dry Water, a nationwide crackdown on impaired boating.

There were three boating-related fatalities in Ohio during the weekend, the ODNR said.

ODNR officers and partners contacted 3,500 boaters on 1,261 vessels for various violations during the crackdown.

The Division of Oil and Gas Resources Management reported that 2,840 permits had been issued for drilling in the Utica shale as of June 30, with 2,370 wells drilled and 1,904 in production.

#### **Burke Blasts Cordray's Medicaid Comments; Soybean Group Sounds Tariff Alarm; Boccieri Calls For More Local Funding**

A lawmaker on Friday accused Democratic gubernatorial candidate Richard Cordray of either lying about or not understanding the issue of Medicaid expansion.

Sen. Dave Burke (R-Marysville), who chairs the Senate Health, Human Services & Medicaid Committee, accused Mr. Cordray of twice in the past week saying that 26,000 children could be impacted if Medicaid expansion were rolled back.

However, Sen. Burke said in a statement that the expansion covers only childless adults.

"Richard Cordray continues to make Medicaid expansion a key part of his campaign for governor, but his statements over the past week prove he does not understand Ohio's Medicaid program. Cordray's comments in the media show he is either unprepared to be governor, or that he is willing to blatantly lie and use fear tactics to scare Ohioans into voting for him," he said.

"Medicaid comprises over 50% of Ohio's annual budget. If Richard Cordray doesn't understand such a key part of the state budget, then Ohioans simply cannot trust him to sit in the governor's office. Richard Cordray is making promises, and this week he's proven to us that that he doesn't know how he would keep them, even if he wanted to."

In response, the campaign of Mr. Cordray cited a 2016 report from the Georgetown University Center for Children and Families that credited Medicaid expansion for 26,000 children gaining insurance coverage from 2013-2015.

**Tariff Concerns:** The Ohio Soybean Association is sounding the alarm about retaliatory tariffs China has placed on American soybeans. The tariffs kicked in Friday in response to tariffs enacted by the Trump Administration that same day on an array of Chinese goods.

The group in a statement said 61% of all soybean exports go to China, which accounts for about \$14 billion annually in sales.

"This doesn't only hurt Ohio farmers, it will hurt the entire Ohio economy," said Allen Armstrong, OSA president and soybean farmer from Clark County. "We continue to believe that solutions can be found that do not involve tariffs and a trade war that will hurt all of rural America."

**Local Funding:** A new report by the Brookings Institute has led to a renewed call for more local government funding.

The report found that from 2010-2017, three Ohio cities ranked in the top 20 in population decline: Youngstown (19), Toledo (12) and Cleveland (5).

Rep. John Bocchieri (D-Alliance) in a statement called for additional funding for local governments to stem the tide of population loss.

"You can push the responsibility of raising revenue to the lowest layers of government while sending more and more to state government," he said. "As elected officials, we have a duty to work together to get things done - regardless of who is in charge."

#### **Case Remanded After Judge Cites Article In Sentencing; High Court Denies Stay Of Execution; Buckeye Institute Weighs In On Case...**

A federal district court judge erred in doubling a man's sentence after citing a Cleveland.com article on opioid overdoses, the Sixth Circuit Court of Appeals ruled recently.

Marcus Fleming in July 2016 was pulled over by Canton police and found to be carrying nearly 1,000 grams of cocaine.

Based on federal sentencing guidelines, the prosecution recommended five years in prison for Mr. Fleming.

However, at the sentencing hearing Judge John Adams cited the article before handing down a 10-year sentence.

Mr. Fleming argued he was prejudiced by the use of the article because he did not know it would be cited at the sentencing hearing and he was not provided an opportunity to address the issues raised.

The Sixth Circuit agreed, finding the sentence was rendered in a procedurally unreasonable manner.

"The district court's consideration of information about mixed cocaine-opioid overdose deaths was a surprise because, before the sentencing hearing, there was no indication that opioids were relevant to this case, let alone that they would play a prominent role. Fleming was convicted for possession of cocaine, not opioids," Judge John Rogers wrote in the court's decision.

"Nothing in the record suggested that opioids were found in Fleming's car, or that Fleming had ever sold or possessed opioids, or even that any cocaine Fleming sold had ever been mixed with opioids. Of course, opioids have been a topic of grave public concern in recent years, as their devastating and tragic effects have been felt across the country. But it was far from apparent that they were relevant to Fleming's sentence for possession of cocaine."

Judge Rogers was joined by Judge Raymond Kethledge and Judge Damon Keith in his decision.

The case is remanded back to the district court for sentencing.

**Stay Denied:** The Ohio Supreme Court has declined to stay the execution of a man set to be put to death this month.

In a unanimous ruling the court declined to stay the July 18 execution of Robert Van Hook.

He is on death row after being convicted of the 1985 murder of David Self.

**Judicial Deference:** The Buckeye Institute has filed an amicus brief in a case that could end judicial deference to executive agencies' interpretations of the law.

"The practice of courts relying on agencies to interpret the law has proven to be dysfunctional, inconsistent with our constitutional system, and has led to the erosion of individual liberties," President and CEO Robert Alt said in a statement. "It is time for the Supreme Court to junk *Chevron*."

**Disciplinary Proceedings:** The Board of Professional Conduct announced that 12 cases have been certified for formal disciplinary proceedings.

### **Portman Sets Sights On Deferred Park Maintenance; Dems Welcome Pruitt's Exit; Ryan Tours Immigrant Facility**

U.S. Sen. Rob Portman (R-Terrace Park) is among a bipartisan group of senators aiming to tackle about \$12 billion in deferred maintenance within the National Park Service.

He joined with senators Mark Warner (D-VA), Lamar Alexander (R-TN), and Angus King (I-ME) to introduce the Restore Our Parks Act, which has earned support from Secretary of the Interior Ryan Zinke, the National Parks Conservation Association, the Pew Charitable Trusts' Restore America's Parks Campaign and the Outdoor Industry Association.

"For more than a century, the National Park Service has been inspiring Americans to explore the natural beauty of our country," Sen. Portman said in a statement. "But in order to keep that work going, we need to ensure that they have the right resources to maintain our national parks. This bill will create the Legacy Restoration Fund to provide the National Park Service with funds for deferred maintenance projects."

The legislation would provide more than \$100 million in funding for work at parks and historic sites in Ohio. The vast majority of the funding would go toward improvements at two sites: Perry's Victory and International Peace Memorial in Put-in-Bay (\$47.7 million) and Cuyahoga Valley National Park in Cuyahoga and Summit counties (\$45.8 million).

**Resignation:** Democratic members of Ohio's congressional delegation had no kind words for U.S. EPA Administrator Scott Pruitt following his resignation Thursday.

"Scott Pruitt used taxpayer dollars to benefit himself while working to gut Lake Erie cleanup and the Renewable Fuel Standard and the Ohio jobs that depend on them," U.S. Sen. Sherrod Brown tweeted. "He never should have been confirmed in the first place, and it's past time for him to go."

U.S. Rep. Tim Ryan (D-Niles) issued a brief statement in response to the departure: "It's about time."

U.S. Rep. Joyce Beatty (D-Blacklick) simply tweeted "Byeeeeeee!" with a link to a media report about Mr. Pruitt's resignation.

**Immigration:** Rep. Ryan and three of his U.S. House colleagues from Michigan on Thursday received a tour of Bethany Christian Services' facility in Grand Rapids and learned about the organization's plans to reunite immigrant children with their families.

Rep. Ryan in a statement called the Trump administration's policy of separating children from parents at the U.S.'s southern border "state sponsored abuse."

"Children are traveling by themselves or with their loved ones to avoid violence and danger in their country, and they fled to the United States to find safety and security. They are doing what any responsible parent would do," he said. "But when they arrive at our border, the Trump Administration turns its back on our values and rips children away from their parents - with zero plan to bring them back together."

**Hearing:** Sen. Brown and Sen. Portman will conduct a field hearing of a congressional committee charged with solving looming pension problems next week at the Statehouse.

The House and Senate Joint Select Committee on Pensions will meet at 2 p.m. next Friday at in the Finan Hearing Room. The hearing will allow panel members to receive testimony from Ohio workers and retirees who could be affected if Congress fails to take action.

Multiple plans Ohioans participate in, including the Central States Teamsters Pension Plan, the United Mine Workers Pension Plan, the Ironworkers Local 17 Pension Plan, the Ohio Southwest Carpenters Pension Plan and the Bakers and Confectioners Pension Plan "are currently on the "brink of failure," according to a news release from Sen. Portman's office.

The committee, which has 16 members appointed by House and Senate leadership, has been tasked with reporting a bill to resolve the issue by the end of November.

#### **Capitol Scene: Child Caring Group Updates Name**

The advocacy group formerly known as the Ohio Association of Child Caring Agencies has renamed itself the Ohio Children's Alliance, it was announced Friday.

The change, the group said, reflects the changing environment for child and family services.

"Our new name is more representative of our mission and the composition of our statewide network of community agencies," said Mark Mecum, the group's CEO. "Over the past five decades, our association has grown to over 70 community agencies that provide behavioral health, foster care, and other child and family services. We've also evolved into an alliance that fosters collaboration and innovation. Our new name symbolizes our commitment to Ohio's children and the agencies that serve them."

The organization was founded in 1973.

## **Governor's Appointments**

**State Dental Board:** Tracy Intihar of Columbus to the for a term beginning July 6, 2018, and ending April 6, 2021.

**Public Benefits Advisory Board:** Dasmine Wright of Columbus for a term beginning July 6, 2018, and ending June 30, 2021.

**Ohio Turnpike and Infrastructure Commission:** Guy C. Coviello of Youngstown for a term beginning July 6, 2018, and ending June 30, 2023.

**Ohio Arts Council:** Darryl D. Mehaffie of Greenville, Farid Naffah, MD of Cortland, and Neal F. Zimmers, Jr., JD of Granville have been reappointed to the for terms beginning July 6, 2018, and ending July 1, 2023.

## **Supplemental Agency Calendar**

**Tuesday, July 10**

Radioactive Materials Committee, 35 E. Chestnut St., Basement Training Room A, Columbus, 10:30 a.m.

**Friday, July 13**

Board of Voting Machine Examiners, 17th Fl., 180 E. Broad St., Columbus, 10 a.m.

## **Supplemental Event Planner**

**Monday, July 9**

Release of June casino revenue figures, 1:30 a.m.

17 S. High St., Suite 630

Columbus Ohio 43215

Phone: 614-221-1992 | Fax: 614-221-7844 | Email: [gongwer@gongwer-oh.com](mailto:gongwer@gongwer-oh.com)

Scott Miller, President | Kent Cahlander, Editor | Mike Livingston, Dustin Ensinger, Jon Reed, Tom Gallick, Staff Writers

Click the  after a bill number to create a saved search and email alert for that bill.

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## Daily Activity Planner for Saturday, July 7-Monday, July 9

### Legislative Committees

Monday, July 16

Senate Finance (Committee Record) (Chr. Oelslager, S., 466-0626), Finance Hearing Rm., 3 p.m.

**HB 123** **LENDING LAWS** (Koehler, K., Ashford, M.) To modify the Short-Term Loan Act, to specify a minimum duration requirement for loans made under the Small Loan Law and Mortgage Loan Law, and to limit the authority of credit services organizations to broker extensions of credit for buyers. (6th Hearing-All testimony-Possible amendments & vote)

### Agency Calendar

Monday, July 9

State Board of Education, 25 South Front St., Columbus, 8:30 a.m.  
Controlling Board, North Hearing Rm., Senate Bldg., Columbus, 1:30 p.m.

### Event Planner

Monday, July 9

Release of June casino revenue figures, 1:30 a.m.  
Rep. Gary Scherer (R-Circleville) golf outing fundraiser, Cooks Creek Golf Club, 14065 U.S. Rt. 23, S. Bloomfield, 11 a.m., (11 am registration; 12 pm shotgun)

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## Legislative Committee Schedules beginning 7/9/2018

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- If needed

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Senate Rules & Reference (Committee Record) (Chr. Obhof, L., 466-7505), Majority Conf. Rm., 10 a.m.

Senate Session (Committee Record) (Chr. Obhof, L., 466-4900), Senate Chamber, 11 a.m.


### Thursday, July 12

Ohio Retirement Study Council (Committee Record) (Chr. Schuring, K., 228-1346), Rm. 121, 10 a.m.  
Managed Long-Term Services and Supports Study Committee (Chr. Burke, D., 000-0467), Senate Finance Hearing Rm., 10 a.m.

- Providers and consumers of MyCare services will be invited to share their perspectives on MyCare Ohio along with Q & A (100 minutes); Quality Measures Data from Department of Medicaid (20 minutes)

### Monday, July 16

Joint Committee on Agency Rule Review (Committee Record) (Chr. Uecker, J., 644-6030), Senate Finance Hearing Rm., 1:30 p.m.

**NOTE:** Click bill or resolution number links to see the legislative history compiled by Gongwer News Service. Click the  after a bill number to create a saved search and email alert for that bill. Click "Full Text" if present to view the text of legislation on the Legislature's Web site.

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Rep. Gary Scherer (R-Circleville) golf outing fundraiser, Cooks Creek Golf Club, 14065 U.S. Rt. 23, S. Bloomfield, 11 a.m., (11 am registration; 12 pm shotgun)

**Tuesday, July 10**

Rep. Scott Lipps (R-Franklin) fundraiser, Due Amici, 67 E. Gay St., Columbus, 11:30 a.m., (Host: \$1,000, Sponsor: \$500, Patron: \$350 to Friends of Scott Lipps)

**Wednesday, July 11**

Rep. Richard Brown (D-Canal Winchester) fundraiser, The Paddock Club, 1005 Richardson Rd., Groveport, 5:30 p.m., (Sponsor Levels: Sponsor \$250, Host \$100, Guest \$50 to Citizens for Richard Brown)

**Thursday, July 12**

Rep. Hearcel Craig (D-Columbus) fundraiser, Crest Gastropub, 621 Parsons Ave., Columbus, 5:30 p.m., (Host \$500, Friend \$250, Supporter \$150; Guest \$69 to Friends of Hearcel F. Craig)

**Monday, July 16**

Rep. Bill Reineke (R-Tiffin) golf outing fundraiser, Mohawk Golf Course, 4399 OH-231, Tiffin, 8:30 a.m., (8:30 am registration; 10 am shotgun)

**Tuesday, July 17**

Republican Senate Campaign Committee MLB All-Star Game fundraiser, Dock 79, 79 Potomac Ave SE, Washington DC, 5 p.m., (Walk Off: \$5,000 | Grand Slam: \$2,500 | Home Run: \$1,000 to RSCC)

**Thursday, July 19**

ALEC Annual Meeting, Denver

Sen. Stephanie Kunze (R-Hilliard) manicure fundraiser, W Nail Bar, 946 N. High Street, Columbus, 4 p.m., (PAC: \$500 | Individual: \$250 | Young Professional: \$50 to Citizens for Stephanie Kunze. RSVP is required to ensure appointment.)

Sen. Matt Dolan (R-Chagrin Falls) Batter Up fundraiser, Progressive Field, 2401 Ontario Street, Cleveland, 4 p.m., (4:00pm Warm Up & Batting | 5:30pm Reception. Grand Slam: \$5,000 | Home Run: \$2,500 | Single: \$1,000 | Spectator: \$150 to Friends of Matt Dolan)

## **Friday, July 20**

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**ALEC Annual Meeting, Denver**

Rep. Tom Patton (R-Strongsville) golf outing fundraiser, Mallard Creek Golf Club, 34500 Royalton Road (SR 82), Columbia Station, 10 a.m., (10:00 am Shotgun start; Tournament: \$2,000, Eagle: \$1,000; Foursome: \$600, Birdie:\$5000, Person: \$150 to Friends of Tom Patton)

## **Saturday, July 21**

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**ALEC Annual Meeting, Denver**

## **Sunday, July 22**

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**YMCA Youth & Government Leaders Training School, Statehouse, Columbus**

## **Monday, July 23**

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**YMCA Youth & Government Leaders Training School, Statehouse, Columbus**

Sen. Matt Huffman (R-Lima) golf outing fundraiser, Hidden Creek Golf Club, 6245 Sugar Creek Road, Lima, 9 a.m., (9:00am Registration | 10:00am Shotgun Start. Event Sponsor: \$1,000 | Foursome: \$400 | Tee or Green Sponsor: \$200 | Individual Golfer: \$100 to Huffman for Ohio)

## **Tuesday, July 24**

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**YMCA Youth & Government Leaders Training School, Statehouse, Columbus**

Rep. Bill Seitz (R-Cincinnati) fundraiser, Gresso's, 961 S. High St., Columbus, 5 p.m., (Gold: \$2,000; Silver: \$1,000; Bronze: \$500 to Seitz for Ohio)

## **Wednesday, July 25**

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**YMCA Youth & Government Leaders Training School, Statehouse, Columbus**

Sen. Rob McColley (R-Napoleon) golf outing fundraiser, Eagle Rock Golf Club, 211 Carpenter Road, Defiance, 11 a.m., (11:00am Registration and Lunch | 12:00pm Shotgun Start | 5:30pm Cocktail Hour | 6:00pm Dinner with State Rep. Craig Riedel. Event Sponsor: \$2,500 | Tee Sponsor: \$1,000 | Green Sponsor: \$500 | Foursome: \$400 | Dinner Sponsor: \$250 | Individual Golfer: \$100 to Citizens for McColley)

## **Thursday, July 26**

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**YMCA Youth & Government Leaders Training School, Statehouse, Columbus**

Rep. Craig Riedel (R-Defiance) golf outing fundraiser, Eagle Rock Golf Club, 211 Carpenter Rd., Defiance, 9:30 a.m., (9:30 Shotgun Start. Event:\$2,500, Tee:\$1,000, Green:\$500, Foursome:\$400, Golfer: \$100 to Citizens to Elect Craig Riedel)  
Rep. Bill Blessing (R-Cincinnati) fundraiser, Via Vite, 520 Vine St., Cincinnati, 11:30 a.m., (Sponsor: \$1,000, Host: \$500, Guest: \$250 to Citizens for Blessing)

**Friday, July 27**

**YMCA Youth & Government Leaders Training School, Statehouse, Columbus**

**Monday, July 30**

**NCSL Legislative Summit, Los Angeles**

**Tuesday, July 31**

**NCSL Legislative Summit, Los Angeles**

**Deadline to file semi-annual campaign finance reports**

**Wednesday, August 1**

**NCSL Legislative Summit, Los Angeles**

**Rep. Riordan McClain (R-Upper Sandusky) golf outing fundraiser**

**Thursday, August 2**

**NCSL Legislative Summit, Los Angeles**

**Rep. Anne Gonzales (R-Westerville) Lake Erie fundraiser, Dock's Beach House, 252 W. Lakeshore Drive, Port Clinton, 4 p.m., (Sponsor: \$2,500 | Host: \$1,000 | Guest: \$500 to Citizens for Anne Gonzales)**

**Friday, August 3**

**Deadline for statewide candidates to file July campaign finance reports**

**Speaker Ryan Smith (R-Bidwell) golf outing fundraiser, Cliffside Golf, 100 Cliffside Drive, Gallipolis, 9 a.m., (Coffee/Registration: 9:00am; Shotgun Start: 10:00am; Event Chair: \$12,707.79; Event host: \$5,000; Event sponsor: \$2,500; Tee Sponsor: \$1,000; Foursome: \$500; Individual Golfer: \$150; Reception only: \$75 to Friends of Ryan Smith)**

**Sen. Sandra Williams (D-Cleveland) fundraiser, FOP Hall, 2249 Payne Ave., Cleveland, 5 p.m., (\$200 (table); \$20 (friend) to Friends of Sandra Williams)**

**Tuesday, August 7**

**Special election for 12th Congressional District seat**

**Rep. Laura Lanese (R-Grove City) fundraiser, Condado, 132 S. High St., Columbus, 11:30 a.m., (Host: \$1,000, Sponsor: \$500, Patron: \$350 to Lanese for Ohio)**

**Wednesday, August 15**

**Rep. Theresa Gavarone (R-Bowling Green) golf outing fundraiser**

**Thursday, August 16**

**Sen. Bob Hackett (R-London) golf outing fundraiser**

**Friday, August 17**

**Sen. Bill Beagle (R-Tipp City) Fly Fishing fundraiser**

**Monday, August 20**

**Rep. Laura Lanese (R-Grove City) golf outing fundraiser, Pinnacle Golf Club, 1500 Pinnacle Golf Club Dr., Grove City, 10 a.m., (10:00 am Registration, 11:00 am Shotgun start, Dinner to follow; Event:\$1,500, Food and Beverage: \$700, Golfer: \$150; Hole: \$100 to Lanese for Ohio)**

**Thursday, August 23**

**Hamilton County GOP State Legislative golf outing fundraiser**

**Monday, August 27**

**Rep. Scott Ryan (R-Newark) golf outing fundraiser, Denison Golf Club, 555 Newark Granville Rd., Granville, 9 a.m., (9:00 am Registration, 10:00 am Shotgun Start. Event: \$2500; Food and Beverage: \$1000; Tee: \$750; Foursome: \$500; Golfer: \$125; Green: \$100 to Citizens for Scott Ryan)**

**Saturday, September 1**

**Lobbyists/Employers can begin filing May-August 2018 Activity & Expenditure Reports**

**Thursday, September 6**

**Deadline for statewide candidates to file August campaign finance reports  
Rep. Rick Carfagna (R-Westerville) golf outing fundraiser**

**Friday, September 14**

**Rep. Dave Greenspan (R-Westlake) golf outing fundraiser, Springdale Golf Course, 5871 Canterbury Road, North Olmstead, 9 a.m., (9:00 am Shotgun Start, Lunch at the Turn, Dinner to follow; Dinner Sponsor: \$1,500, Lunch Sponsor: \$1,000, Drink Sponsor: \$750, Hole Sponsor: \$100; Foursome: \$500, Single Golfer: \$125, Dinner only: \$60 to Friends of Dave Greenspan)**

**Thursday, September 27**

**Sen. President Larry Obhof (R-Medina) shotgun fundraiser**

**Friday, September 28**

**Rep. Dave Greenspan (R-Westlake) golf outing fundraiser  
Sen. Joe Uecker (R-Loveland) Day at the Races fundraiser**

**Monday, October 1**

**JLEC Deadline for filing May-August 2018 Activity & Expenditure Report**

**Wednesday, October 3**

**Deadline for statewide candidates to file September campaign finance reports**

**Thursday, October 25**

**Deadline to file pre-general campaign finance reports**

**Tuesday, November 6**

**General election day**

**Thursday, November 8**

**2018 Impact Ohio Post Election Conference, Greater Columbus Convention Center, 400 N. High St., Columbus**

**Saturday, December 1**

**Lobbyists can begin renewing Legislative, Executive and Retirement System registrations for 2019**

**Friday, December 14**

**Deadline to file post-general campaign finance reports**

**Monday, December 31**

**All 2018 Legislative, Executive and Retirement System lobbying registrations expire in OLAC**

**Thursday, January 31**

**Deadline to 2018 annual campaign finance reports**

**Deadline to 2018 annual campaign finance reports**

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**From:** Westlake, Libby  
**Sent:** Monday, July 9, 2018 10:28 AM  
**To:** Best, Carolyn; Adams, Alexandra; Slack, Cora; Crock, Sarah  
**Subject:** RE: Talking Points

Also check the I Drive: Committee Info and Bill Briefings.... It's been helpful to check specific committee folders for each of my topics.

## **Libby Henson**

Special Assistant to the Speaker for Correspondence  
Office of Speaker Ryan Smith | Ohio House of Representatives  
(614) 728-5448

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**From:** Best, Carolyn  
**Sent:** Friday, July 06, 2018 11:24 AM  
**To:** Adams, Alexandra <Alexandra.Adams@ohiohouse.gov>; Westlake, Libby <Libby.Westlake@ohiohouse.gov>; Slack, Cora <Cora.Slack@ohiohouse.gov>; Crock, Sarah <Sarah.Crock@ohiohouse.gov>  
**Subject:** Talking Points

Hi everyone,

I think I have solidified a plan/template for summer talking points. Attached you'll find an example for the topic of School Safety. Below is a list of resources and topic assignments. As you work through these, just let me know if you think we need to change a topic or a make a sub topic.

Content is key here, rather than presentation just because we don't have much time at all. **This will be our main priority for the next week.** I will make Scott aware that we'll be sending these to policy and we need feedback ASAP. If you are not hearing back from someone please let me know. Just text me/email/call me if you have any questions about bills/rhetoric as you're going through these... again, we need to get these done quickly.

To keep things moving, I think it's best we fill these in and have policy review after... here is how I envision the process going...

**Process:**

- 1) Comms creates one-pagers
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- 3) Alex/team finalizes design/presentation
- 4) Carolyn sends to Scott/Shawn/Brad for final edits
- 5) Comms final edits



- 6) Send to members

**Resources:**

- 1) Sent file in drive (search key words)
- 2) Snapshots
- 3) Templates
- 4) Press releases
- 5) PSAs
- 6) News articles
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**Topics:**

**Libby**

- 2<sup>nd</sup> Amendment
- Agriculture
- Right to Work
- Workers Comp (BWC rebates)
- Local Government
- Elections

**Carolyn**

- School Safety
- School safety (mental health component; bullying, suicide)
- Economic Development
- Unemployment Compensation
- Budget
- Pro-Life
- General Accomplishments

**Alex**

- Dogs/animals
- Redistricting/Voting machines
- Lake Erie/environment

**Cora**

- Civil Justice/Crime (reagan tokens, hughes bill, telemarketing law)

- Military/Veterans

**Sarah**

- Education/E-Schools
- Utilities
- Opioid Epidemic
- Health
- Transportation/Transportation Budget

Thanks guys!

**Carolyn Best**

*Director of Communications*

Speaker Ryan Smith/Ohio House of Representatives

77 S. High Street, Columbus, Ohio 43215

**Office Phone:** 614.644.1739

**Cell Phone:** 740.815-9635

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**Sent:** Monday, July 9, 2018 11:07 AM  
**To:** Westlake, Libby; Adams, Alexandra; Slack, Cora; Crock, Sarah  
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Also, please CC Scott & Marisa on emails to policy staff.

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- Education/E-Schools
- Utilities
- Opioid Epidemic
- Health
- Transportation/Transportation Budget

Thanks guys!

**Carolyn Best**

*Director of Communications*

Speaker Ryan Smith/Ohio House of Representatives

77 S. High Street, Columbus, Ohio 43215

**Office Phone:** 614.644.1739

**Cell Phone:** 740.815.9635

**From:** Best, Carolyn  
**Sent:** Monday, July 9, 2018 11:45 AM  
**To:** Westlake, Libby; Adams, Alexandra; Slack, Cora; Crock, Sarah  
**Subject:** RE: Talking Points

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## **Libby Henson**

Special Assistant to the Speaker for Correspondence  
Office of Speaker Ryan Smith | Ohio House of Representatives  
(614) 728-5448

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**Topics:**

**Libby**

- 2<sup>nd</sup> Amendment
- Agriculture
- Right to Work
- Workers Comp (BWC rebates)
- Local Government
- Elections

**Carolyn**

- School Safety
- School safety (mental health component; bullying, suicide)
- Economic Development
- Unemployment Compensation
- Budget
- Pro-Life

- General Accomplishments

**Alex**

- Dogs/animals
- Redistricting/Voting machines
- Lake Erie/environment

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**From:** Slack, Cora  
**Sent:** Monday, July 9, 2018 11:46 AM  
**To:** Best, Carolyn; Westlake, Libby; Adams, Alexandra; Crock, Sarah  
**Subject:** RE: Talking Points

Do we have a deadline on these?

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**Office Phone:** 614.644.1739

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**From:** Best, Carolyn  
**Sent:** Monday, July 9, 2018 11:48 AM  
**To:** Slack, Cora; Westlake, Libby; Adams, Alexandra; Crock, Sarah  
**Subject:** RE: Talking Points

This week.

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**From:** Slack, Cora  
**Sent:** Monday, July 09, 2018 11:46 AM  
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**Office Phone:** 614.644.1739

**Cell Phone:** 740.815.9635

**From:** Crock, Sarah  
**Sent:** Monday, July 9, 2018 3:42 PM  
**To:** Westlake, Libby; Best, Carolyn; Adams, Alexandra; Slack, Cora  
**Subject:** RE: Talking Points

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You should have access now, just need to log off and back on!

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